

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

**Thursday • May 25, 2006**

**7:00 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, May, 25, 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 7:03 p.m.

**ESTABLISH QUORUM**

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

**PUBLIC COMMENT ON CLOSED SESSION AGENDA ITEMS**

**Speakers**

There were no speakers.

**ADJOURN TO CLOSED SESSION**

The meeting adjourned to closed session at 7:03 p.m. to discuss the following items:

- A. PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE  
Government Code 54957

**CALL TO ORDER – REGULAR SESSION**

Mrs. Nichols called the meeting to order at 7:38 p.m.

**PLEDGE OF ALLEGIANCE**

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

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

The Board of Education authorized the Superintendent or designee to give notice of non-re-election to a temporary provisional employee pursuant to Education Code section 44954(b) for the next succeeding school year.

**ADOPTION OF AGENDA**

**Motion No. 140**

It was moved by Mrs. Smith, seconded by Mr. Ortega and carried by a vote of 6-1(Absent: Ledesma) to adopt the May 25, 2006 agenda.

**ANNOUNCEMENTS AND ACKNOWLEDGMENTS**

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

Dr. Godley reported on the Strategic Planning Conference held at Chapman University on May 22-23, 2006. There were approximately 110 participants that included students, teachers, staff, administrators, community and business members, as well as elected officials. The purpose of the conference was to chart a course for the next three years and to make recommendations to the Superintendent and Executive Cabinet to put these recommendations into a strategic plan for the District.

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

No report.

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

Mr. Rocco offered condolences to Bill Lewis and Katherine Topor who lost their fathers.

**APPROVAL OF MINUTES**

**Motion No. 141**

It was moved by Mrs. Smith, seconded by Mr. Poutsma and carried by a vote of 5-1-1 (Absent: Ledesma; No: Rocco) to approved the minutes of April 20, and May 4, 2006 regular Board meetings.

**COMMUNICATIONS TO THE BOARD**

**Speakers**

Marjan Dunn, no address given, thanked the Board and Dr. Godley for inviting her to participate in the Strategic Planning Conference. She spoke positively and in support of the conference as a first step in moving the District forward and noted that the focus in on students.

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**ACTION ITEMS**

**Item 12.A. Resolution No. 50-05-06 to Establish the Futuris Public Entity Trust in Compliance with Governmental Accounting Standards Board Statements Nos. 43 and 45**

All school Districts need to identify and report liabilities associated with Other Post Employment Benefits (OPEB) including medical benefits to comply with Governmental Accounting Standards Board (GASB) Statements Nos. 43 and 45. A Substantive Plan is required in order to be in compliance with GASB Nos. 43 and 45. A Substantive Plan reflects a permanent commitment by the employer to provide an OPEB for retirees of the employer. Phase I employers (those with revenues greater than \$100 million) must comply with GASB 43 by July 1, 2006. A Substantive Plan is defined as a plan through which assets are accumulated and benefits are paid as they come due in accordance with an agreement or understanding between the employers and plan members and their beneficiaries.

A Substantive Plan is the only means of integrating the required provisions of California Government Code regulatory standards for the payment of retiree health care benefits (Sections 53620-53622) with GASB Statement guidelines. Keenan & Associates will be the District's third party administrator and will collaborate with Futuris consultants to help with the development and implementation of the Substantive Plan to ensure the District's compliance with GASB Nos. 43 and 45. They will also assist in managing the District's fiduciary liability. Futuris will ensure that the Substantive Plan for our District contains the necessary protections to mitigate the District and its designated officers from fiduciary liability for their investment of public funds.

**Motion No. 142**

It was moved by Mrs. Smith, seconded by Mr. Ortega and carried by a vote of 5-1-1 (Absent: Ledesma; No: Rocco) to approve Resolution No. 50-05-06 to establish the Futuris Public Entity Trust in compliance with Governmental Accounting Standards Board Statements Nos. 43 and 45.

**Item 12.B. Public Hearing on the Instructional Materials Petition to the California State Board of Education for McPherson Magnet School and Authorization to Submit the Petition**

The Board held a public hearing regarding the petition request and authorize staff to submit the OUSD Petition Request to the California State Board of Education. Staff requested authorization to submit a petition to use non-adopted instructional materials in mathematics for McPherson Magnet School to the California State Board of Education. Currently the Instructional Materials Funds Realignment Program funds may only be used to purchase state adopted materials. In order for McPherson Magnet school to access these funds to purchase Everyday Math, approval from the State Board of Education must be granted. The State Board of Education has a process for the petition request which includes a public hearing requirement at the local level and certification by the local board for petition to purchase other instruction materials with the IMFRP funds.

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The regular meeting was closed and the Public Hearing opened at 8:02 p.m.

There were no speakers.

The Public Hearing closed and the regular meeting opened.

**Motion No. 143**

It was moved by Mr. Ortega, seconded by Mrs. Smith and carried by a vote of 5-1-1 (Absent: Ledesma; No: Rocco) to authorize staff to submit the OUSD Petition Request to the California State Board of Education.

**Item 12.C. High School Diploma, Certificates of Completion, Graduation Ceremony**

The Alameda County Superior Court issued a preliminary injunction ordering the granting of diplomas to all high school seniors who are members of the 2006 graduating class and who are otherwise eligible to graduate and receive a diploma, even if they have not passed all parts of the CAHSEE. In response, the State Superintendent of Public Instruction has instructed his attorneys to file an immediate appeal of the court's order. It is possible that the Court of Appeal or the California Supreme Court may block the enforcement of the Alameda County Superior Court's order. To ensure that the District is prepared for either case, staff recommends the following options:

**IF CAHSEE IS NOT REQUIRED FOR GRADUATION:**

*Current OUSD Board Policy 6146.1 would apply.*

**The following students would receive Diplomas:**

- Students who have satisfied all graduation requirements, (230 credits).

**The following students would receive Certificates of Completion:**

- Special Education students who meet their IEP goals and take the California Alternative Performance Assessment (CAPA.)

**IF CAHSEE IS REQUIRED FOR GRADUATION:**

Staff recommends the following options for diplomas, certificates of completion and participation in graduation ceremonies. These options were presented for a first reading at the January 19, 2006 OUSD Board meeting. Senate Bill 517 (Chapman legislation) has passed and the March CAHSEE results are soon to be released. Staff presents these recommendations for a second reading.

**The following students would receive Diplomas:**

- Students who have satisfied all graduation requirements, (230 credits including Algebra 1) and who pass the CAHSEE by March 2006.
- **(SB 517)** Special Education students who have satisfied all graduation requirements (230 credits including Algebra 1), have taken the CAHSEE at least two times, once during 12<sup>th</sup> grade, participated in offered intervention during 12<sup>th</sup> grade, and have failed to pass both sections of the CAHSEE by

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March 2006. (At this time, this option for special education students is available for 2006 graduates only.)

**The following students would receive Certificates of Completion:**

- Students who have satisfied all graduation requirements (230 credits including Algebra 1), have taken the CAHSEE at least two times, once during 12<sup>th</sup> grade, have participated in offered intervention during 12<sup>th</sup> grade, and have failed to pass both sections of the CAHSEE by March 2006.
- Special Education students who meet their IEP goals and take the California Alternative Performance Assessment (CAPA.)

Students receiving Certificates of Completion are eligible to participate in all graduation activities including the graduation ceremony. Staff believes that providing a Certificate of Completion and allowing these students to participate in graduation is an opportunity to recognize students of different ability levels. Further, it allows students who have passed all required coursework, including passing Algebra 1, the opportunity to celebrate this accomplishment, and encourages students who have not passed the CAHSEE to continue to pursue completion of their senior year coursework.

**Motion No. 144**

It was moved by Mr. Ortega seconded by Mr. Poutsma carried by a vote of 5-1-1 (Absent: Ledesma; Abstain: Rocco) to approve the options as stated and implement the appropriate option based upon the court's ruling.

**Item 12.D. Orange Unified Education Association Proposal**

The Orange Unified Education Association (OUEA) presented for Board consideration, the attached proposal for 2006-2007 reopener contract negotiations.

**Motion No. 145**

It was moved by Mr. Ortega, seconded by Mrs. Smith and carried by a vote of 5-1-1 (Absent: Ledesma; Abstain: Rocco) to receive OUEA's proposal as presented.

**Item 12.E. Initial Reopener Proposal to Orange Unified Education Association for 2006-07 Contract Negotiations – Public Hearing**

The Board held a Public Hearing to receive input on the District's initial proposal to the OUEA for 2006/07. The proposal will be referred to the OUEA's representatives to begin the negotiation process.

The regular meeting was closed and the Public Hearing opened at 8: 06 p.m.

There were no speakers.

The Public Hearing closed and the regular meeting opened.

**Motion No. 146**

It was moved by Mrs. Smith, seconded by Mr. Ortega and carried by a vote of 5-1-1 (Absent: Ledemsa; Abstain: Rocco) receive the District's initial proposal to the OUEA for 2006/07.

**Item 12.F. Proposed Board Policy Revisions – 4000 Series, All Personnel – Second Reading**

This item was pulled until the next meeting.

**INFORMATION/DISCUSSION ITEMS**

**Item 13.A. English Learners: Successful Strategies**

This item was pulled until the next meeting.

**Item 13.B. Legislative Coalition – Committee Report**

This item was pulled until the next meeting.

**CONSENT ITEMS**

**Pulled Item**

**Item 14.T. Cognitively Guided Instruction Staff Development Provided by the Orange County Department of Education**

Pulled by staff because it duplicated the same contract in the Contract Services Report, Educational Services.

**Motion No. 147**

It was moved by Mr. Ortega, seconded by Mr. Poutsma and carried by a vote of 6-1 (Absent: Ledesma) to adopt the consent agenda.

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

The Board approved the Purchase Order List dated April 24 through May 14, 2006 in the amount of \$1,992,100.36. See attached Purchase Orders List.

**Item 14.B. Warrants List**

The Board accepted the Warrants List dated April 24 to May 14, 2006 in the amount of \$6,147,205.90. See attached Warrants List.

**Item 14.C. Gifts**

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

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- Musical Instruments to Cerro Villa MS, donated by Hillary Thomas, Tricia Thompson, Elizabeth Patrick and Neil Lehman
  - 50 new computer mouse pads to Imperial ES, donated by Imperial PTA
  - 1992 Ford Aerostar van to Orange HS, donated by Sofia Kwon
  - Office supplies to Chapman Hills ES, donated by Diana DesChamps and Barbara Handelman
  - Two new Dell computers and headsets to Imperial ES, donated by Mr. & Mrs. Timothy Cotter
  - Extron Media Link controller and screen to Portola MS, donated by Extron Electronics (Art Garcia)

**Item 14.D. Contract Services Report – Business Services**

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

**HARRINGTON GEOTECHNICAL ENGINEERING, INC.**

After the rainy season in December 2005, when several hillsides in Orange County had problems with the earth moving, minor cracking was noticed at Nohl Canyon in the building ceilings and Portland cement concrete flatwork throughout the site. Harrington Geotechnical Engineering, Inc. installed several survey points as deemed necessary to monitor both horizontal and vertical movement within the school property. Nohl Canyon needs to have continued monitoring for the 06-07 fiscal year. Since Harrington Geotechnical is a qualified engineering firm that did the initial subsidence monitoring for the District, they need to do the follow-up monitoring.

General Fund.....not-to-exceed... ..\$3,100

**NYBERG ARCHITECTS**

The District requires design services which include architectural drawings, electrical drawings, and specifications to obtain DSA approval for the installation of portable classrooms for the Special Education Program at Villa Park High School, to replace a non-DSA building at El Modena High School, and install two portables each at Anaheim Hills and Lampson Elementary Schools. All costs associated with the installation of these portables will be expended from the Capital Facilities Fund.

Capital Facilities Fund ... *not to exceed*. . . . . \$38,500

**PACIFIC MEDICAL**

Since 1987, the District has been required to provide on-going annual physical examinations to employees who are exposed to asbestos during the course of work. Those employees who are required to wear respirators are also required to receive an annual physical examination. In addition, recent lead monitoring requirements were enacted requiring annual blood serum lead

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analysis. The total cost for the prior agreement in 2005 was \$6,100. The fees will remain the same as last year. In order to comply with these and other related physical requirements, it is recommended the District engage Pacific Medical Clinic. This firm will conduct the required medical examinations and comply with state and federal law for record-keeping requirements. Fees.....not-to-exceed... ..\$6,100

**Item 14.E. Bid No. 578: Award of Asphalt Paving Project for El Rancho Charter School for Parking Lot, Service Road and Athletic Field Swale Areas**

The Board awarded Bid No. 578 for the asphalt pavement project at El Rancho Charter School to Ben's Asphalt, Inc.

**Item 14.F. Approval to Renew Asbestos and Mold Consulting Service Agreement with Cardinal Environmental Consultants, Inc.**

The Board approved the renewal of the environmental hazards consulting services agreement with Cardinal Environmental Consultants, Inc., through July 18, 2007.

**Item 14.G. Declaration of Surplus Items and Authorization to Enter into Contracts and Dispose of Surplus Items**

The Board declared the items attached list as surplus and approved the disposition of the District surplus items in accordance with Education Code Section 17545 and Board Policy 3270. The Board authorized the District to enter into appropriate contracts with General Auction Company, EZ Recycling, Inc. and other firms and organizations as needed for the sale or disposition of District surplus items.

**Item 14.H. Amended Resolution No. 44-05-06: Approval to Utilize a Cooperative Purchasing Agreement between the Glendale Unified School District and Southern California Air Conditioning Distributors, Inc., now Known as U.S. Air Conditioning, for Heating, Ventilation and Air Conditioning Equipment and Related Components**

The Board approved the *amended* Resolution No. 44-05-06 for the renewal of District utilization of the Glendale Unified School District's Bid P11-02/03 to procure heating, ventilation and air conditioning equipment and related components from Southern California Air Conditioning Distributors, Inc., now known as U.S. Air Conditioning Distributors, Inc. The amended resolution was submitted on the advice of the Orange County Office of Education's counsel.

**Item 14.I. Resolution No. 46-05-06: Approval to Adopt Prequalification Questionnaire and Uniform System of Rating Pursuant to Public Contract Code Section 2011.5 and OUSD Administrative Regulation 3311**

The Board approved Resolution No. 46-05-06 for the adoption of a prequalification questionnaire and uniform system of rating.

**Item 14.J. Resolution No. 48-05-06: Approval to Utilize the Competitive School Bus Price Agreement between the Waterford Unified School District and A-Z Bus Sales, Inc., Procurement of Three School Bus Vehicles and Lease-Purchase Finance Agreement Approval**



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The Board approved District utilization of the Waterford Unified School District Bus Bid with A-Z Bus Sales Inc. for the procurement of three buses, and authorized a lease-purchase arrangement with Blue Bird Body Company through appropriate agreements.

**Item 14.K. Resolution No. 49-05-06: 2006-07 Tax and Revenue Anticipation Note (TRAN) Annual Issuance**

The Board approved Resolution No. 49-05-06 authorizing participation in the 2006-07 South Coast Local Education Agencies Pooled Tax and Revenue Note Program.

**Item 14.L. Personnel Report**

The Board approved the attached Personnel Report.

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

The Board approved the attached student teaching assignment lists.

**Item 14.N. Out-of-State Travel/Conference Attendance**

The Board approved the out-of-state travel for the individuals as follows:

**Schmidt, Ryan/ El Modena High School**  
**Las Vegas, NV**  
*Reebok Big Time Basketball Tournament*  
July 21-25, 2006  
Conference Expenses: Paid by boosters

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

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

**SCHOLASTIC INC.**

Cerro Villa Middle School would like to purchase 60 additional READ 180 student software site licenses and the supporting libraries for their EL Reading classes. The amount of this purchase is \$34,021.92 and payment will be made over a two-year period from the following categorical budgets.

Categorical Funding. . . .not-to-exceed . . . . . \$34,022

**LINK 2 LIFE, INC.**

School Districts are required to provide an equitable share of federal monies to the private schools within their attendance boundaries. Link 2 Life Emergency Training, Inc. will present First Aid and CPR training to St. Norbert's teachers on August 23, 2006. Title IV Safe and Drug-Free Schools and Communities funds will provide for this service.

Professional Services. . . not-to-exceed . . . . . \$1,200

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**OCDE, COGNITIVELY GUIDED INSTRUCTION**

Cognitively Guided Instruction staff development will be provided by the Orange County Department of Education for the 2005/06 and 2006/07 school years. Professional development in CGI provides teachers with instructional strategies to help students think more mathematically. There is an emphasis on number sense, fractions and algebra. CGI strategies can be used with any adopted mathematics textbook. Orange County Department of Education provides six contacts to support our teachers in grade level teams in discussions and implementation. Canyon Rim, Esplanade, Serrano and Silverado Elementary Schools will participate.

Fee . . . . . not-to-exceed . . . . . \$88,000

**AUDITORY INSTRUMENTS**

The services of Auditory Instruments are needed to service, repair and maintain equipment being used by the District's hearing impaired students who require them to access the educational program for the 2005/06 school year.

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

**LAW OFFICES OF DANIELLE AUGUSTIN**

As a result of a mediated agreement in Case No. N2005100041, the District has agreed to pay reasonable and compensable attorney fees. Payment shall be made based on itemized billing statements submitted to the District and made payable to the client trust account.

Special Education . . . . . not-to-exceed . . . . . \$1,667

**NATHAN HUNTER, PSYCHOLOGIST**

The services of Nathan Hunter, licensed psychologist, are required to conduct independent educational evaluations of special education students during the 05/06 school year.

Special Education . . . . . not-to-exceed . . . . . \$1,000

**MEDIA BLEND**

GoSignMeUp is a web-based program that enables paperless, online class registration at the school and district level for staff development and meetings. The web-based interface provides authorized users access anytime, anywhere to quickly and effectively register for a class. GoSignMeUp will improve record keeping for programs with staff development requirements. The software is being purchased with an annual payment of \$15,850 over two years.

Educational Technology.....\$31,700

**Item 14.P. Study Trips**

The Board approved the following study trip(s):

Canyon High School - Cheer – Santa Barbara, CA – June 26- 29, 2006

The Canyon High School Cheer Team, under the direction of their advisor Heather Davis, would like to travel to Santa Barbara to participate in the USA Cheer Camp. The students will learn and practice safety techniques, work on leadership training, goal setting, problem solving and unity building. The forty-five female students will be accompanied by two adult female chaperones.

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The students will be housed at the dorms at the University of Santa Barbara and will be traveling by district bus. The cost of the trip is \$400 and scholarships are available. The students will not miss any school days and no substitute will be required.

El Modena High School - Boys Basketball Team – Las Vegas, NV July 21-26, 2006

El Modena's Boys Basketball team, together with their coach Ryan Schmidt, would like to travel to Las Vegas to participate in the Reebok Big Time Tournament. The student/athletes will learn about teamwork, diversity as well as compete with over 50 athletic teams from across the country. The student/athletes will also gain exposure for scholarships as over 300 college coaches will attend the tournament to scout. The fifteen male students will be accompanied by four male and one female adult chaperones. Transportation will be provided by parents and any parent driving a student other than their own will have an OUSD School Driver Certification form completed and on file prior to the trip. Students and adults will be staying at the New Orleans Hotel in Las Vegas. Students will not miss any school and no substitute will be required. The cost per student is \$100 per person.

El Modena High School Boys Basketball Team – San Diego, CA July 7-9, 2006

El Modena's Boys Basketball team, under the direction of their coach Ryan Schmidt, would like to travel to San Diego on July 7, 2006 to participate in the UCSD Basketball Tournament and Boys' High School Team Camp. The student/athletes compete against other teams from the Southern California area, learn about life on the college campus as well as have the opportunity to explore the UCSD campus. The 15 male students will be accompanied by four male adult chaperones. Transportation will be provided by parents and any parent driving a student other than their own will have an OUSD School Driver Certification form completed and on file prior to the trip. Students and adults will be staying at the UCSD Dorms. Students will not miss any school and no substitute will be required. The cost per student is \$75 per person.

Taft Elementary School 4<sup>th</sup> Grade Gate Class – Dana Point, June 13–14, 2006

Taft Elementary School's 4<sup>th</sup> grade GATE class, under the direction of Monique Shepherd, would like to travel to Dana Point to participate in the Pilgrim Overnight Program. Students will stay aboard the ship, which is a replica of Richard Henry Dana's ship, and have the opportunity to experience sailing life as it was in the early 1800's. This program correlates with the social studies standards. Cost per student is \$75 and scholarships are available.

Canyon Rim Elementary School 4<sup>th</sup> Graders – Sacramento, June 19, 2006

Canyon Rim's 4<sup>th</sup> grade team of teachers, led by Ms. Yee, will take a group of students to Sacramento on June 19, 2006. The teachers have contracted with WorldStrides travel organization. Since this event is planned to occur outside the school year, parents are paying for their students, and in some cases themselves, to take this one-day trip to Sacramento. The travel group of students, teachers and parents are carrying liability insurance through WorldStrides. Cost per student is \$317. Scholarships are not available, but donations are accepted.

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**Item 14.Q. Memorandum of Understanding between OCDE and OUSD on behalf of El Modena and Orange High Schools for 2006-2011**

The Board authorized the District to enter into the Memorandum of Understanding between the Orange County Superintendent of Schools and the Orange Unified School District. Planning grants will be funded for one year and will provide \$25,000-\$50,000 per school. Implementation grants will be funded for up to three years and will provide \$250,000- \$500,000 per school.

**Item 14.R. Migrant Education Region IX – Approval of Service Agreement between San Diego County Office of Education and OUSD for the 2006/07 School Year**

The Board approved the service agreement for submittal and signature.

**Item 14.S. School Readiness Program: Orange Children and Parents Together Preschool for 2006/07**

The Board approved the School Readiness Program: OCPT head Start Preschool for Handy Elementary School for 2006/07 and authorized entering into an agreement with OCPT to implement this project.

**Item 14.T. Cognitively Guided Instruction Staff Development Provided by OCDE – 2005/06 and 2006/07**

This item was pulled. See Item 14.O., Contract Services Report, Educational Services.

**Item 14.U. Textbook Adoption – 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 July 20<sup>th</sup> Board Meeting.

**Item 14.V. Textbook Adoptions – Final**

The Board adopted the attached list of textbooks for the Orange Unified School District.

**Item 14.W. Special Education Non-Public Schools & Designated Instructional Services**

The Board authorized non-public school/agency placement for the student identification numbers listed on the attached report, as presented.

**Item 14.X. Expulsion of Student: Case No. 05-06-50**

The Board upheld the recommendation of the Administrative Hearing Panel.

**Item 14.Y. Biennial Governing Board Elections**

The Board approved the attached Resolution and Order of Biennial Trustee Election and Specifications of the Election Order.

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**COMMUNICATIONS TO THE BOARD**

No speakers.

**OTHER BUSINESS**

**Board/Staff Conference and Comments**

No comments.

**ADJOURNMENT**

By call of the Chair, the regular Board meeting of May 25, 2006 adjourned at 8:10 p.m.



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Wes Poutsma

Clerk of the Board