

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

**Thursday • July 20, 2006
7:00 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, July 20, 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. Board members, Mr. Ledesma, Mrs. Nichols, Mr. Poutsma, Mr. Ortega and Mrs. Smith were present. Mr. Rocco was not present for closed session. All Board members were present for open session.

PUBLIC COMMENT ON CLOSED SESSION AGENDA ITEMS

Speakers

There were no speakers.

ADJOURN TO CLOSED SESSION

The meeting adjourned to closed session at 6: 30 p.m. to discuss the following items:

- A. PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE
Government Code 54957
- B. PUBLIC EMPLOYEE APPOINTMENT
Government Code 54957
Title: Coordinator II, Special Education
Title: Assistant Principal, Elementary School
Title: Assistant Principal, High School
- C. CONFERENCE WITH LABOR NEGOTIATORS
Government Code 54957.6
Agency Negotiators: Ed Kisse; Jamie Brown; Spencer Covert, Parker &
Covert LLP

Employee Organization: a) California School Employees Association
b) Orange Unified Education Association
Agency Designee Representatives: Superintendent; Spencer Covert, Parker & Covert LLP
Unrepresented Employees: Classified/Certificated Leadership Employees, including Assistant Superintendents

CALL TO ORDER – REGULAR SESSION

Mrs. Nichols called the meeting to order at 7:43 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

The Board approved the appointment of Rachele Dale to the position of Coordinator II, Special Education and the appointment of Jennifer Harrison to the position of Elementary Assistant Principal.

The Board authorized the termination of a classified employee.

The Board authorized the suspension of a classified employee for 20 days without pay.

ADOPTION OF AGENDA

Motion No. 1

It was moved by Mr. Poutsma, seconded by Mrs. Smith and carried by a vote of 5-1-1 (No: Rocco; Absent: Ortega) to adopt the July 20, 2006 agenda.

ANNOUNCEMENTS AND ACKNOWLEDGMENTS

Item 9.A. Superintendent's Report

No report.

Item 9.B. Board President's Report

Mrs. Nichols noted that the S-Track schools begin on Monday, July 23.

Mrs. Nichols congratulated Dr. Godley on the birth of his granddaughter. She also congratulated Mr. Ortega on the recent birth of his son.

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

Mr. Rocco congratulated the San Juan Capistrano Superintendent for his early retirement. He announced that he would be running in the College Trustee election in November.

Mrs. Moffat commended the Workshop of St. Joseph in Santa Ana. This organization seeks to

help youths in job skills training and mentorship. The leader of the organization is Sister McNerney. She was recognized by The Irvine Foundation with a \$125,000 award.

APPROVAL OF MINUTES

Motion No. 2

It was moved by Mrs. Smith, seconded by Mr. Ortega and carried by a vote of 6-1 (No: Rocco) to approve the minutes of the June 22, 2006 regular Board meeting.

COMMUNICATIONS TO THE BOARD

Speakers

No speakers.

ACTION ITEMS

Item 12.A. District Energy Conservation Program Project for Crescent Intermediate, Canyon High and Villa Park High Schools: Public Hearing Pursuant to Government Code Section 4217.12, Adoption of Resolution 01-06-07, Approval of Energy Conservation and Services Contract with Chevron Energy Solutions, and Authorization to Negotiate Lease Terms to Finance the Projects

This is a project where the schools mentioned above would receive modernization upgrades to their heating/air conditioning units, some controls for energy and extensive classroom lighting upgrades. These modernization improvements will be financed using several sources of funds including:

- \$81,136 from rebate incentives and grants
- \$3 million from Certificates of Participation
- \$4,415,433 financed over 15 years and paid for by the energy savings

Additionally, the District is eligible for approximately \$5 million in modernization funds from the state as those funds become available in the future. The \$5 million will be used towards projects that meet modernization criteria.

Public Hearing

The regular meeting was closed and the Public Hearing opened at 7:53 p.m.

There were no speakers.

The Public Hearing closed and the regular meeting opened.

Motion No. 3

It was moved by Mr. Ortega, seconded by Mrs. Moffat and carried by a vote of 6-1 (No: Rocco) to adopt Resolution No. 01-06-07 approving the proposed contract with Chevron ES . Further, the Board authorized staff to negotiate the lease terms to finance the projects.

Item 12.B. Reorganization and Additional Assistant Principals at the District's Four Comprehensive High Schools

There is a need for additional administrative support at each of the District's four comprehensive high schools. Until September 1991, there were three assistant principals at each of the four comprehensive high schools. This number was reduced to two assistant principals due to budgetary constraints and cutbacks in administrative positions in order to reach an acceptable agreement for salary increases for all staff. At that time, OUSD high schools averaged 1,800 students. Even though the schools have grown in enrollment (current average 2,250) and in the number of different programs offered, there still remain only two assistant principals at each of the high schools. Additionally, in comparing the administrative support levels of other high schools in the county, OUSD high schools are understaffed at the administrative level.

Prior WASC accreditation reports have consistently stated that the four high schools are administratively understaffed. Further, over the past few years, comments from individual Board members have been made expressing the need for additional high school administrative support. Reinforcing the reasons stated above, the principals have expressed a strong need for additional support if they are to have the time to be the true instructional leaders of their schools.

The support and implementation of this proposal is in response to the frequently expressed need for additional administration at the high schools from a variety of sources. With only two assistant principals at the high schools, along with a student population in excess of 2,000 students, the principal's time is consumed with duties that could be more appropriately fulfilled by an assistant principal. The result is that there is little or no time for the principal to focus on vision, leadership, curriculum, instruction, staff evaluation, and student achievement.

The major areas of responsibility for the assistant principals will be as follows:

1. Assistant Principal, Curriculum, Student Activities & ROP
2. Assistant Principal, Discipline, Guidance & Attendance
3. Assistant Principal, Budget, Athletics, Facilities & Operations

Regardless of the areas of responsibility, each assistant principal will be involved in discipline, staff evaluation and student achievement.

The plan, as summarized in the attachment, shows a total net savings to the unrestricted general fund in excess of \$17,000. This has been achieved by the elimination of two positions, the transfer of the Independent Study Program to the high school campuses, and the transfer of the

Teen Mom Program to the Orange County Department of Education. Additionally, Title II will now fund 50% of the curriculum coordinators at the District level because of their duties in staff development for Focus on Results and the professional learning emphasis as recommended in the Strategic Plan.

Furthermore, the high school assistant principals and secretaries will be funded 25% by ROP for their specific involvement in and development of ROP programs and classes on each high school campus. It follows that if ROP is funding 25% of an assistant principal and a secretary, then 25% of their time must be spent dedicated to building and developing the ROP Program on their respective campuses.

Motion No. 4

It was moved by Mr. Poutsma, seconded by Mrs. Smith and carried by a vote of 6-1 (Abstain: Rocco) to approve the reorganization plan, including the additional assistant principal positions and secretarial support at each of the four comprehensive high schools as presented and summarized in the attachment.

Item 12.C. Public Hearing: Special Education Local Area plan – Service Plan and Budget Plan

Dr. Bill Gee, Director of Pupil Services, stated that this annual budget plan is a requirement that is submitted at the end of a school year, rather than at the beginning. There are two sections to the plan: 1) The annual budget plan, which outlines the entire budget for special education for the 2005-06 school year; and 2) the service plan, which outlines all the services offered in special education by code. (See attached plans.)

Public Hearing

The regular meeting was closed and the Public Hearing opened at 8:05 p.m.

There were no speakers.

The Public Hearing closed and the regular meeting opened.

Motion No. 5

It was moved by Mr. Poutsma, seconded by Mr. Ortega and carried by a vote of 6-1 (Abstain: Rocco) to approve the Local Area Plan Service Plan and Budget Plan.

Item 12.D. Salary Adjustment for Classified Employees Represented by the California School Employees Association, Chapter #67, and Leadership Employees

In March 2006, the Board of Education approved a 3.25% salary increase for the 2005-06 year effective July 1, 2005 for classified employees represented by the California School Employees Association, Chapter #67, and all leadership employees, excluding the Superintendent. In order to maintain comparability, it is recommended that a salary adjustment of 1.5%, effective August 1, 2006, be made for classified employees represented by the California School Employees

Association, Chapter #67, and all leadership employees, excluding the Superintendent.

Motion No. 6

It was moved by Mr. Ledesma, seconded by Mr. Rocco and carried by a vote of 6-1 (Abstain: Rocco) to approve a proposed salary adjustment of 1.5%, effective August 1, 2006, for classified employees represented by the California School Employees Association, Chapter #67.

Motion No. 7

It was moved by Mr. Poutsma and seconded by Mrs. Moffat to approve a proposed salary adjustment of 1.5%, effective August 1, 2006, for all leadership employees, excluding the Superintendent.

Discussion

Mr. Ledesma questioned the reasoning for the proposed salary increase as the associations negotiate their salary increases; leadership does not negotiate.

Dr. Godley responded that a precedent had been set in prior years that the District has an implied "me too" clause so if one group settles earlier than the other and the latter group receives more of an increase than the former group, then the group that settled earlier will receive an adjustment to make everything equal. This is to ensure that all employees are treated the same.

Mr. Ledesma remarked that he felt that there is a potential conflict of interest due to the fact that leadership personnel negotiates with the associations, and there is knowledge of past practice that the District provides an increase in salary to leadership comparable to that of the associations.

Mr. Covert advised that all districts have a negotiating team that acts within the parameters given to them by their board. He added this (matter) is not a conflict of interest. In OUSD, the Board has designated him (Mr. Covert) to be the chief negotiator. It is a Board decision as to whether the Board wishes to convey this salary increase to leadership.

Discussion continued. Mr. Ledesma suggested that the District move toward a "merit" system for salary increases, not "across-the-board" increases for leadership.

Motion No. 7 carried by a vote 5-2 (No: Ledesma, Rocco).

Item 12.E. California School Employees Association Proposal

The Board of Education received CSEA's initial proposal for the 2006-2007 reopener contract negotiations which are for salary, benefits and compensation as presented. See attached proposal.

Motion No. 8

It was moved by Mrs. Smith, seconded by Mr. Ortega and carried by a vote of 6-1 (Abstain: Rocco) to receive CSEA's proposal as presented.

Item 12.F. District's Initial Reopener Proposal to the California School Employees Association for 2006-07 Contract Negotiations – Public Hearing

The District presented its reopener proposal to CSEA.

Public Hearing

The regular meeting was closed and the Public Hearing opened at 8:20 p.m.

There were no speakers.

The Public Hearing closed and the regular meeting opened at 8:21 p.m.

INFORMATION/DISCUSSION ITEMS

Item 13.A. Ninth Grade Success Initiative Freshman Seminar Course

Staff presented an informational report regarding the Ninth Grade Success Initiative. This report will focus on the development of the "Freshman Seminar Course" which has been written to increase matriculation rates for college, university and other post-secondary options, help students acquire the skills to successfully navigate life and work transitions, and reduce the dropout rates for both high school and post-secondary education. To meet the needs of individual students, two specific courses have been written: "Freshman Seminar" and "Honors Freshman Seminar."

CONSENT ITEMS

PULLED ITEMS

Item 14.D. Contract Services Report – Business Services

Page 49 **Miller Brown & Dannis** (Pulled by Mr. Ledesma.)

Motion No. 9

It was moved by Mr. Ortega, seconded by Mr. Poutsma and carried by a vote of 6-1 (No: Rocco) to approve the consent agenda items except Item 14.D., page 49 of the Contract Services Report, Miller Brown & Dannis.

Item 14.A. Purchase Orders List

The Board approved the Purchase Order List dated June 12 through July 9, 2006 in the amount of \$1,701,568.91 and the Purchase Orders List dated July 1 through July 9, 2006 in the amount of \$5,335,952.94. See attached Purchase Orders List.

Item 14.B. Warrants List

The Board accepted the Warrants List dated June 12 to July 9, 2006 in the amount of \$4,017,761.51. See attached Warrants List.

Item 14.C. Gifts

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

- TriBest Visual Display Case to Panorama ES, donated by Panorama PTA and Student Council
- *Small Gardens of Interest* to be used as raffle items for Outdoor Ed at Chapman Hills ES, donated by various local businesses and families

Item 14.D. Contract Services Report – Business Services

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

ESCI ENVIROSERVICES, INC.

The Federal Clean Water Act (CWA) requires that storm water associated with industrial activity (storm water) that discharges either directly to surface waters or indirectly through municipal separate storm sewers must be regulated by a federally enforceable discharge permit. ESCI EnviroServices, Inc. is qualified and will provide related plan development and implementation services to the District. ESCI will also provide necessary occupational health and safety compliance services for the 2006/2007 fiscal year. The fee does not include reimbursables.

Budget.....not-to-exceed.....\$14,750

CONSULTING & INSPECTION SERVICES

Department of State Architect (DSA) regulations require a certified inspector of record to inspect all school construction projects. The District requires the services of a DSA certified inspector to provide in-plant and on-site inspections for the installation of five relocatable classrooms and one portable bathroom at various sites. This move is due to enrollment changes at these various sites.

- 2 classrooms from Canyon Rim to Anaheim Hills
- 1 classroom from Fletcher to Parkside
- 2 classrooms and 1 restroom from Fairhaven to Lampson

Capital Facilities Fund.....not-to-exceed.....\$15,840

MGPA ARCHITECTURE, INC.

The District has retained the services of MGPA Architecture, Inc. to design the modernization of Jordan Elementary School. Phasing the modernization process necessitates the installation of interim housing portables (“village”). The cost to design the interim housing “village” is in addition to the modernization contract. This additional approval will authorize MGPA to provide

designs for the "village", move an existing building for use by the CBET Program, coordinate approval from the City of Orange Fire Department and Division of the State Architect.
Special Reserve/Capital Projects.....not-to-exceed.....\$45,100

PUBLIC ECONOMICS, INC.

The District currently utilizes the services of Public Economics to provide professional analyses and consultation on various economic matters concerning public finance issues, i.e., redevelopment agreements, community facility districts and bond sales. The District needs to enter into a new agreement for the 2006-2007 fiscal year.

Various Accounts.....not-to-exceed.....\$25,000

SCHOOLS ALLIANCE FOR WORKERS' COMPENSATION EXCESS (SAWCX II)

This Joint Powers Authority was formed to manage excess workers' compensation claims. The District was a member beginning in 1990-91 and continued until March 1997. Liability that exists for open claims is billed to members on a pro-rata, retrospective basis. This is the fourth year of a five year deficit reduction program. Authorization to pay this invoice will keep the District in compliance with their contract with SAWCXII.

Workers' Comp. Ins. Fund.....not-to-exceed.....\$249,539

SCHOOL CONSTRUCTION COMPLIANCE, LLP (SCC)

The District desires to apply to the State Allocation Board 9SAB) for modernization funding. A condition of receiving the funding is that the District has a Department of Industrial Relations (DIR) approved Labor Compliance Plan (LCP). The District has submitted and received approval on its plan. A condition of the plan approval is the monitoring and interviewing of contractor's employees on the various job sites to assure that they are being paid the appropriate prevailing wage rates and benefits for the classification of work being performed.

SCC is a division of David Taussig & Associates, Inc. and was formed to assist districts in complying with the requirements of Assembly Bill 1506, which requires the LCP as a condition of funding. The Board approved the District's use of SCC on July 15, 2004. Their current agreement is expired and staff wishes to enter into a new agreement with SCC. Their services are needed for current and upcoming projects. There is no additional fiscal impact on the General Fund. The costs are budgeted as part of the individual construction projects as they are approved.

Various Accounts.....not-to-exceed.....\$75,000

SCHOOL SERVICES OF CALIFORNIA, INC.

The District retains School Services of California, Inc., on an annual basis for information, consultation, and support on various issues related to the state budget, legislation, contract negotiations support, and other general areas of education. An open purchase order will be established for payment of invoices received from July 1, 2006 through June 30, 2007.

General Fund not-to-exceed..... \$15,000

PARKER & COVERT LLP

Parker & Covert LLP has submitted an addendum to their current Retainer Agreement dated September 1, 2000. This addendum proposes that the hourly rate for Partners be increased from \$160 to \$195, the rate for Senior Associate Attorneys from \$145 to \$185, the rate for Associate Attorneys from \$135 to \$170, and the rate for a Paralegal/Law Clerk from \$75 to \$115, effective August 1, 2006. The current rates have been in effect for almost six years. The rates are on an as-needed basis and the District is not billed unless service is rendered. On June 22, 2006, the Board approved \$350,000 for legal services by Parker & Covert for the 2006-07 school year. This additional \$50,000 budgeted amount provides for the rate increase and is equal to the amount budgeted in 2005-06.

General Fund.....not-to-exceed.....\$50,000

MILLER BROWN & DANNIS

This item was pulled for separate action. See *Motion No. 10*.

Item 14.E. Resolution No. 02-06-07 of the Board of Education of the Orange Unified School District Acting as the Legislative Bode of Community Facilities District No. 2005-1 (Tremont) of the Orange Unified School District Determining and Levying the Special Tax for Fiscal Year 2006-07 and for Future Fiscal Years

The Board approved Resolution 02-06-07 determining and levying the special tax for fiscal year 2006-07 and future fiscal years. See attached resolution.

Item 14.F. Multi-Year Financing of Computers

The Board approved District utilization of Arey Jones Dell, Inc., Apple, CDWG and Cal West for the procurement of equipment and authorized the lease-purchase of various computer equipment with SunTrust Leasing Corporation through appropriate agreements.

Item 14.G. Approval to Utilize the CMAS Contract for AT&T Telecommunications Equipment

The Board approved procurement of AT&T telecommunications equipment utilizing the listed CMAS contract.

Item 14.H. Award of Bid No. FC6004: Modernization – Prospect Elementary School

The Board awarded Bid No. FC6004 for the modernization project at Prospect Elementary School to A M D Construction Group.

Item 14.I. Approval to Use Dell Marketing, LP Master Price Agreement

The Board approved use of the Dell Marketing Master Price Agreement No. A63307 for the purchase of computer equipment and related devices.

Item 14.J. Approval to Procure a Replacement Nutrition Service Refrigerated Truck

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

Item 14.K. Liability Claim No. 05/06-0016

The Board denied Liability Claim No. 05/06-0016.

Item 14.L. Liability Claim No. 06/07-0001

The Board denied Liability Claim No. 06/07-0001.

Item 14.M. Personnel Report

The Board approved the attached Personnel Report.

Item 14.N. Student Teacher Assignments/Agreements

The Board approved the attached Student Teacher Assignments as presented.

Item 14.O. Teacher Assignment/Consent – Provisional Internship Permit

The Board approved the attached Provisional Internship Permits.

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

The Board approved the attached Provisional Internship Permits.

Item 14.S. Contract Services Report – Educational Services

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

RONALD G. MORRISH

Ronald G. Morrish, author of "Secrets of Discipline" will be providing staff development training to the teaching staff at Fairhaven Elementary on July 19, 2006. The focus of the staff development will be to help teachers and administration in implementing successful school-wide expectations for student behavior in and out of the classroom. Fairhaven will use the funds from the Teacher Recruitment & Student Support program.

Fee. (not to exceed). \$1500

WENDY PONTIOUS

Wendy Pontious, Science Teacher Leader for the Westminster Unified School District and Beckman @Science, will provide two one-day in-services for OUSD sixth grade teachers from August 2006 through March 2007. The presentations to sixth grade teachers will provide training in the hands-on, inquiry-centered FOSS kits "Landforms" and "Environments."

Curriculum Department (not to exceed) \$600

PAMELA HUTCHINS

Pamela Hutchins, Science Teacher Leader for the Santa Ana Unified School District and Beckman @Science, will provide four one-day or two one-day and four after-school in-services

for OUSD kindergarten teachers from July 2006 through March 2007. The presentations to kindergarten teachers will provide training in the hands-on, inquiry-centered FOSS kits "Wood & Paper" and "Trees."

Curriculum Department (not to exceed) \$1200

HOSTS LEARNING

Olive Elementary would like to continue the HOSTS link Program license for the 2006-07 school year. HOSTS Link is the only program singled out in the report language of NCLA as a model program and has been a successful intervention program at Olive for the past five years. Renewing the license will provide Olive Elementary with product updates and access to HOSTS Learning Helpline technical assistance sentences. HOSTS Learning will also provide system support services.

Elementary Education (not to exceed) \$7,112

GABRIEL RODRIGUEZ

Two Variables kits were purchased by Canyon Rim Elementary for teaching the scientific method. Gabriel Rodriguez, Westminster teacher and science trainer, is available to train Canyon Rim's 4th grade team on August 8, 2006.

General Fund not-to-exceed..... \$300

SAN DIEGO OFFICE OF EDUCATION

The San Diego County Office of Education, a State Board of Education approved AB466 training provider, will provide AB466 training to 15 teachers from District schools. This training will provide intensive training in Prentice Hall: *Literature*, the district's core adopted English/Language Arts program, for teachers in grades 6-8 and in Hampton Brown's *Highpoint*, the district's adopted Intensive Intervention program, for teachers in grades 4-8. These trainings help teachers to provide effective classroom instruction aligned to the state content standards. The AB466 training is one of a group of strategies that the California State Department of Education recommends to improve student achievement. This forty-hour training will take place in Orange July 17, 2006 through August 11, 2006. The cost of the training is \$750 per teacher. AB466 training funds will provide for this training.

Special Programs. (not-to-exceed) \$11,250

PATTY MAIZE

Patty Maize, a consultant with extensive experience in parent outreach, will provide services to Orange High School from August 2006 through June 2007. Services will include community outreach, communication, and correspondence. The source of funding will be Orange High School's Title I and SLIP program funds.

Title I funds (not-to-exceed) \$10,000

SLIP funds (not-to-exceed) \$10,000

ETS ED TEST SERVICES

Using data to guide instructional decisions and actions to successfully improve academic achievement for all students is the goal of the ETS Ed Test Services. Their instructional Data Management System (IDMS) offers an integrated approach to manage and use data to drive instructional practices, improve student achievement, and optimize learning results. School staff will have the opportunity to review state achievement scores, use standards-based, interim assessment to guide instructional practices. IDMS supports a standards based instructional approach that delivers user-friendly data directly to the desktop of the teacher through a web-based design. IDMS' web-based design features: State Assessment Analyzer, Curriculum/Course Management System, Item Bank, Interim Assessments and is compatible with District equipment and designed to help teachers focus their work, reduce "paper-work," and work with co-teachers to meet the academic needs of all students. Total contract cost for a one-year District license of a three-year contract, which includes the IDMS software and technical assistance, is \$227,744 for the 2006-07 school year.

Title II Improving Teacher Quality not-to-exceed \$227,744

BLIND CHILDREN'S LEARNING CENTER

The services of the Blind Children's Learning Center may be required in the area of orientation and mobility assessments for the Pupil Services Department from July 1, 2006, to June 30, 2007. Special Education not-to-exceed \$4,000

DR. ROBERT PATTERSON

The professional services of Dr. Robert Patterson are required when necessary to provide evaluation and assessment of special education students for the Pupil Services Department during the 2006-07 school year, on an as-needed monthly basis. Special Education not-to-exceed \$24,000

GOODWILL INDUSTRIES OF ORANGE CO.

Goodwill Industries, Assistive Technology Exchange Center, provides on-going consultation and assessments regarding special education students who need assistive technology in order to access the core curriculum for the 2006/2007 school year. Special Education not-to-exceed..... \$5,000

GALLAGHER PEDIATRIC SERVICES

The services of Gallagher Pediatric Therapy will be required in the area of occupational/physical therapy assessments requested for special education students through the Pupil Services Department during the 2006-07 school year. Their rate is \$250 per evaluation. Special Education not-to-exceed \$15,000

BETH BALLINGER, O.D.

The services of Beth Ballinger are required for assessments of special education students with a visual impairment during the 2006-07 school year. Special Education not-to-exceed \$2,000

RUSSO, FLECK & ASSOC.

The services of Anne Fleck and Joanne Russo may be required in the areas of occupational & physical therapy assessments for the Pupil Services Department from July 1, 2006, to June 30, 2007. Their rate is \$100 per Evaluation.

Special Education not-to-exceed \$25,000

BRAILLE CONSULTANTS, INC.

The specialized services of Braille Consultants, Inc. are needed during the 2006-07 school year for special education students who are visually and multiply impaired. Assessment and consultation services are needed to provide for these special education students according to their Individual Education Plan. This firm's rate is \$80 per hour and has a long standing history with the special education department.

Special Education not-to-exceed \$20,000

JULIE BERG RYAN, O.D.

The services of Julie Berg Ryan are needed to do visual therapy assessments for special education students during the 2006-07 school year.

Special Education not-to-exceed \$2,000

PARADIGM HEALTH

The Paradigm Healthcare Agency conducts the data collection and billing system for obtaining Medi-Cal federal reimbursement funds for school health services currently provided to Medi-Cal eligible students by the school nurses, psychologists, and speech therapists. Approval of this item will allow the District to continue its contractual agreement with Paradigm, for their billing services which generate Medi-Cal income. Payment is based solely on revenue generated by Medi-Cal billing and does not encumber existing district funds.

Special Education not-to-exceed \$50,000

TEAM OF ADVOCATES FOR SPECIAL KIDS

The services of Team of Advocates for Special Kid (TASK) are required for assistive technology consultations for special education students for the 2006-07 school year.

Special Education not-to-exceed \$2,500

IRVINE THERAPY SERVICES

Assessment services will be needed for occupational therapy from Irvine Therapy Services during the 2006-07 school year for special education students.

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

NEWPORT SPEECH & LANGUAGE CENTER

The services of Newport Speech & Language Center are required to provide full-time speech and language therapists for the 2006-07 school year for special education students as required by law. Newport Speech & Language continues to provide quality therapists for our department.

Special Education not-to-exceed. \$116,000

THE SPEECH PATHOLOGY GROUP

The services of the Speech Pathology Group are required to provide one speech and language therapist one day per week, at one school, for special education students as required by law for the 2006-2007 school year. The Speech Pathology Group is returning from last year. They continue to provide quality services at an hourly rate of \$74.

Special Education not-to-exceed. \$25,000

PROVIDENCE SPEECH AND HEARING CENTER

Providence Speech and Hearing Center will provide assessments, auditory processing evaluations and audiological consultations for special education students during the 2006-07 school year.

Special Education not-to-exceed \$1,500

ABRAMSON AUDIOLOGY

The services of Abramson Audiology are required to do assessments in central auditory processing, attend IEP's and do classroom consultations for special education students during the 2006-07 school year.

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

ST. JOSEPH HEALTH HOME CARE SYSTEM

St. Joseph Home Care Services provides specialized care procedures and related guidelines for implementing the health care of ventilator-dependent students during the school day. This contract is to cover estimated costs for the 2006-07 school year, beginning June 2006 through June 30, 2007. The source of funding is special education with state reimbursement of costs claimable in the year during expenditure.

Special Education not-to-exceed . . . \$40,000

SOUTHERN CALIFORNIA COLLEGE OF OPTOMETRY

The services of Southern California College of Optometry are needed to do visual therapy assessments for special education students during the 2006-07 school year.

Special Education. not-to-exceed \$2,000

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 2006/07 school year. This contract will cover auditory trainers, transmitters, receivers, speakers, ceiling and team teaching sound buddy system. This also includes replacement of batteries and transducer testing and replacement. Acoustical response checking is done after each repair.

Special Education not-to-exceed \$15,000

WRITE START PEDIATRICS

The services of Write Start Pediatrics are required in the areas of occupational/physical therapy assessments for the Pupil Services Department from July 1, 2006 to June 30, 2007.

Special Education not-to-exceed \$2,000

THANH LY, BRAILLE TRANSCRIBER

The services of Thanh Ly, is required for weekly transcription of school work for visually impaired special education students during the 2006/07 school year.

Special Education not-to-exceed \$5,000

ATKINSON, ANDELSON, LOYA, RUUD & ROMO

The law firm of Atkinson, Andelson, Loya, Rudd & Romo assists the District in litigation of on going special education matters.

Legal Services \$120,000

CHILD SHUTTLE

The services of Child Shuttle are necessary to transport special education students, from their homes to non public agencies during the 06/07 school year and extended school year. The average rate charge by this agency is \$65.00 per round trip to transport students outside of Orange Co.

Special Education not-to-exceed \$25,000

MAXIM HEALTH CARE SERVICES

Maxim Healthcare Services will provide continuous nursing services to ventilator-dependent and severely medically fragile students during the school day for the remainder of the 2006/07 school year. The source for funding is special education with state reimbursement of costs claimable in the year during expenditure.

Special Education not-to-exceed \$20,000

SOUTHERN CALIFORNIA SENSORY SCREENING

Southern California Sensory Screening is an accredited vision and hearing screening company. This agency assists school districts with state mandated vision and hearing screenings. District school nurses will be responsible for the follow-up with all children who do not pass the initial vision and/or hearing screening for the 2006/07 school year.

Medi-Cal Federal Reimbursementnot-to-exceed. . . . \$40,000

THE SAFETY CONNECTION

The Safety Connection assists the District nursing staff in providing first aid/CPR classes to all employees. These classes are partially funded by a donation from the Orange Community Council PTA and the balance paid by Medi-Cal funds. The Safety Connection charges between \$10 and \$30 per student, depending on the type of class which is being taught.

Special Ed/Health Services . . . not-to-exceed. \$4,000

PARKER & COVERT LLP

The law firm of Parker and Covert assists the District in litigation of on-going special education matters.

Legal Services \$100,000

NATHAN HUNTER, PSYCHOLOGIST

The services of Nathan Hunter, a licensed psychologist, are required to conduct independent educational evaluations of special education students during the 2006-07 school year.

Special Education not-to-exceed \$5,000

BROCK TROPEA, M.A., CCC-SLP

The services of Broc Tropea, M.A., CCC-SLP, are required to provide speech and language services to three schools for special education students as required by law, during the 2006-07 school year and extended year services. Mr. Trope is returning for a fourth year with the District; his rate is \$72/hr.

Special Education not-to-exceed \$120,000

INTERIM HEALTHCARE AGENCY

Interim Health Care Agency will provide specialized care procedures and related guidelines for implementing the health care of ventilator-dependent students during the school day. This contract is to cover estimated costs for students attending OUSD summer school and continuing during the 2006-07 school year. The source for funding is special education with state reimbursement of costs claimable in the year during expenditure.

Special Education not-to-exceed \$20,000

PACIFIC COAST

The services of Pacific Coast Speech are required again this year to provide speech and language services at two school sites, for special education students as required by law, during the 2006-07 school year. Pacific Coast Speech continues to provide quality therapists at a rate of \$80/hr.

Special Education not-to-exceed \$146,500

SPECIAL EDUCATION STUDENT #324060

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

Special Education not-to-exceed \$12,400

SPECIAL EDUCATION STUDENT #255061

As a result of an IEP addendum for a special education student, the school district has agreed to reimburse the parents for the cost of in-home educational tutoring during the 2005/06 school year, including extended year. Reimbursement will be based on invoices & proof of payment submitted to the District.

Special Education not-to-exceed \$15,000

UCI CHILD DEVELOPMENT CENTER

The UCI Child Development Center will provide daily behavior modification instruction in a classroom setting, combined with an intensive multi-modality treatment program for a special education student during extended year summer program in July and August 2006.

Special Education. not-to-exceed \$2,500

YELLOW CAB OF GREATER ORANGE COUNTY

The services of Yellow Cab may be required to provide transportation services for special education students with special needs, when OUSD transportation is not available, during the 2006-07 school year.

Special Educationnot-to-exceed \$5,000

SPECIAL EDUCATION STUDENT #284262

Change Order: As the result of a "Stay Put" ruling in SEHO Case No. SN04-02377, the District is required to reimburse the parents for educational related expenses beginning September 1, 2005 and continuing through June 30, 2006. This change order necessary to increase this purchase order due to outstanding invoices on hand in accounts payable.

Special Education not-to-exceed \$6,000

SPECIAL EDUCATION STUDENT #284262

As a result of a "Stay Put" ruling in SEHO Case No. SN04-02377, the District is required to reimburse the parents for educational related expenses beginning July 1, 2006 and continuing through June 30, 2007. Reimbursement will be based upon receipt of invoices and verification of payments made.

Special Education not-to-exceed \$25,000

BLIND CHILDREN'S LEARNING CENTER

The services of the Blind Children's Learning Center may be required in the area of orientation and mobility assessments for the Pupil Services Department for the 2005-06 school year. This is a change order necessary to increase existing purchase order due to outstanding invoices on file in accounting needing payment.

Special Education not-to-exceed..... \$1,500

REGENTS OF THE UNIVERSITY OF CALIFORNIA, ON BEHALF OF UCI CHILD DEVELOPMENT CENTER

The UCI Child Development Center will provide daily behavior modification instruction in a classroom setting, combined with an intensive multi-modality treatment program and parenting classes for two special education students during the 2006-07 school year, including extended year through July 2007.

Special Education not-to-exceed..... \$35,000

Item 14.T. Study Trips

The Board approved the following study trip(s):

Canyon High School – Chapman University Yearbook Camp – Orange, CA - August 4 – 7, 2006

The Canyon High School Yearbook Staff under the direction of their advisor Kim Hubbard will travel to Orange to participate in the Chapman University Yearbook Camp. The two male and seven female students attending will be accompanied by one female adult chaperone. The students will be learning skills for yearbook production as well as time management skills necessary to produce a successful yearbook. They will be housed in the dorms at Chapman University and the cost per student is \$270 with scholarships available. Each parent will transport their own student and any parent driving a student other than their own will have an OUSD driver certificate form on file with Risk Management prior to this trip. No substitute is required and the students will not miss any school days.

Orange High School – Cheer Team – Irvine, CA – August 9 – 12, 2006

Orange High School Cheer Team under the direction of their coach Elisa Arellano will travel to Irvine to participate in a cheer camp at the University of California at Irvine. The student/athletes will expand their cheer abilities as well as interact with other students with similar interests as they develop physical activity skills related to cheer. The twenty-one (21) female student/athletes will be accompanied by one female adult chaperone. Transportation will be provided by parents and any parent driving a student other than their own will have an OUSD driver certificate on file with Risk Management prior to this trip. The students will be housed in the dorms on the campus of UCI and the cost per student is \$310 with scholarships available. The students will not miss any school days and no substitute will be required

Canyon High School – Cross Country Team – Big Bear Lake, CA – August 14 – 18, 2006

The Canyon High School Cross Country Team under the direction of their coach Pat Bendzick will travel to Big Bear Lake to participate in a cross country training camp. The student/athletes will have the opportunity to establish a cooperative team environment that stresses personal responsibility within a group dynamic. They will also experience the physiological benefits of altitude training while attending daily clinics on nutrition, fitness and injury prevention. The fifteen (15) female and fifteen (15) male students will be accompanied by two (2) female and two (2) male adult chaperones. The student/athletes will be staying at the Eagle's Nest Hotel in Big Bear and will travel by rental van with the driver have an OUSD approved driver certificate on file with the risk management office prior to this trip. The cost per student is \$250 and scholarships are available. The students will not miss any school days and a substitute will not be required.

Canyon High School - Girl's Volleyball Team – San Diego, CA - August 24 – 26, 2006

Canyon High School Girl's Volley Team under the direction of their coaches Mary Lurhs, Rebekah Anderson and Kimberly Cronin will travel to San Diego to participate in a volleyball team camp. The student/athletes will have the opportunity for team building, individual skill development and personal growth through the Hike Bike Kayak of San Diego program. The

fourteen female student/athletes will be accompanied by four female adult chaperones. They will be housed at the Days Inn in San Diego and travel will be by rental van with the driver having an OUSD driver certificate on file with the Risk Management office prior to this trip. The cost per student is \$220 and scholarships are available. The students will not miss any school days and no substitute will be required.

El Modena High School, Varsity Football Team – Big Bear, CA August 25 -26, 2006

The El Modena High School Varsity Football Team under the direction of their coach Greg Olquin will travel to Big Bear to participate in the Lodestone Adventures, Inc. Team Building Leadership Training Program. The student/athletes will have the opportunity to discover new and innovative approaches to teamwork. They will work on problem solving skills and concentrate on teambuilding and bonding. The sixty-five male students will be accompanied by eight male chaperones. The students will be housed at the Presbyterian Conference Center Dorms and will travel by Sliver State Coach, Inc. The cost per student is \$170 and scholarships are available. The students will not miss any school days and there will no substitute will be required.

Villa Park High School – Boy's Water Polo Team – San Jose, CA – October 19 – 22, 2006

Villa Park High School Boy's Water Polo Team, under the direction of their coach John Carcich, will travel to San Jose to participate in the North-South Challenge Water Polo Tournament. The student/athletes will have the opportunity to compete with high schools from throughout the state as well as gain exposure to college scouts. The fourteen (14) male student/athletes will be accompanied by two (2) female and two (2) male adult chaperones. The students will be traveling with Southwest Airlines leaving from John Wayne Airport and will be staying at the Embassy Suites Hotel in Santa Clara. The cost per student is \$350 all inclusive and scholarships are available. The students will miss one school day and a one-day substitute will be required with the cost being reimbursed from the Water Polo Booster Club.

Villa Park High School Girl's Water Polo Team – Santa Barbara, CA – January 19 – 20, 2007

The Villa Park High School Girl's Water Polo Team, under the direction of their coach John Carcich, will travel to Santa Barbara to participate in the Tournament of Champions Water Polo Tournament. The student/athletes will have the opportunity to compete in a regional competition with top Southern California programs. The student/athletes will also work on teamwork, develop leadership skills and have the opportunity to tour UC Santa Barbara. The fourteen (14) female students will be accompanied by two (2) female and three (3) male adult chaperones. Transportation will be provided by parents and any parent driving a child other than their own will have an OUSD approved driving certificate on file with Risk Management prior to this trip. The students will be housed at the Pacific Suites in Santa Barbara and the cost per student is \$160 with scholarships available. The students will miss one school day and a one-day substitute will be required with the cost being reimbursed by the Water Polo Booster Club.

El Modena High School - Pep Squad – Santa Barbara, CA August 7-10, 2006

El Modena High School's Pep Squad, under the direction of their advisor Janis Murray, will travel to Santa Barbara to participate in the 2006 USA Spirit Camp. The program promotes squad unity and support as well as offers usable material and technical training. The USA Spirit Camp staff is comprised of the industry's top professional collegiate cheerleaders. Workshops are also offered for coaches and advisors. The thirty-seven female students will be accompanied by three female and male adult chaperones. Transportation will be provided by district bus and will be reimbursed by the Booster Club. Students and adults will be staying at the UC Santa Barbara Dorms with the cost per student \$350 with scholarships available. Students will not miss any school and no substitute will be required.

Item 14.U. Primary Language Waiver

The Board approved the Primary Language Waiver to be submitted to the California Department of Education.

Item 14.V. Purchase of Scholastic Read 180

The Board approved the purchase of the site license, media, and training for Scholastic READ 180.

Item 14.W. Fourth Quarter Report of Uniform Complaints for the Williams Case Settlement

No Uniform Complaints for any area have been reported during the third quarter for the Williams Case Settlement.

Item 14.X. CIF and State Mandated Coaches Education Course

The Board directed staff to fund and implement the CIF/ASEP coaches training.

Item 14.Y. Course Approvals: Freshman Seminar, Freshman Seminar Honors

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

- **Freshman Seminar** is designed to promote academic success among freshmen through academic accountability, personal/social education, and career/life skills. This course will provide the opportunity for students to receive additional instruction in core areas to ensure their sustained cross-curricular success, learn about their options in higher education, and discover career opportunities.
- **Freshman Seminar Honors** will promote academic success among freshmen through academic accountability and career/life skills. This course will provide a foundation for success in Advanced Placement courses, with a focus on writing. It will also provide the opportunity for students to learn about their options in higher education, and discover career opportunities.

Item 14.Z. Textbook Adoptions – Final

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

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

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

Item 14.BB. Special Education Non-Public Schools & Designated Instructional Services 2006-07

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

Item 14.CC. Expulsion of Student: Case No. 05-06-56

The Board upheld the recommendation of the Administrative Hearing Panel.

Item 14.DD. Expulsion of Student: Case No. 05-06-57

The Board upheld the recommendation of the Administrative Hearing Panel.

PULLED ITEM

MILLER BROWN & DANNIS

Miller Brown & Dannis has submitted an Agreement for Professional Services. This agreement proposes that the hourly rate for legal counsel be increased from \$210 to \$265 for shareholders, special counsel and of counsel; from \$195 to \$215 for associates; and from \$110 to \$125 for paralegals and law clerks, effective July 1, 2006 through June 30, 2007. The rates are on an as-needed basis and the District is not billed unless service is rendered. Agreements for legal fees at other than the hourly rate set forth may be made by mutual agreement for special projects or particular scopes of work. On June 22, 2006, the Board approved \$60,000 for legal services by Miller Brown & Dannis for the 2006-07 school year. This additional \$30,000 budgeted amount provides for the rate increase and is equal to the amount budgeted in 2005-06.

General Fund.....not-to-exceed.....\$30,000

Motion No. 10

It was moved by Mrs. Smith, seconded by Mr. Poutsma and carried by a vote of 5-2 (No: Ledesma; Rocco) to approve the Agreement for Professional Services for Miller Brown & Dannis.

COMMUNICATIONS TO THE BOARD

No speakers.

OTHER BUSINESS

Board/Staff Conference and Comments

Mr. Rocco stated that at the last session he asked for a parliamentary review of the seating arrangement of the Board members and of discussion between Board members (at the dais).

Mrs. Nichols responded that she did reference Robert's Rules of Order and a parliamentary authority. Relative to where the President/Chair sits in a governing body or a membership that has a chair is often in the center of the group, but it is not a requirement. It is highly recommended that the President sit next to the Parliamentarian and the Secretary as it relates to conducting the business of the meeting. Also, there is no specific parliamentary rule relative to the seating arrangement and it has always been the prerogative of the President to sit wherever they choose to sit.

Mr. Covert stated that anything that is substantive needs to be voiced out loud in open session. Matters that are of the public's business needs to be articulated publicly.

ADJOURNMENT

By call of the Chair, the regular Board meeting of July 20, 2006 adjourned at 9:12 p.m.


Wes Poutsma
Clerk of the Board