

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

**Thursday • September 13, 2007
6:30 P.M. • Closed Session
7:30 P.M. • Regular Session**

MINUTES

An audio tape of this meeting is on file for three months after the meeting date.

1. CALL MEETING TO ORDER

Board President Nichols called the meeting to order at 6:32 p.m.

2. ESTABLISH QUORUM

Members Present:

Nichols, Moffat, Ortega, Poutsma, Smith

Members Absent:

Ledesma, Rocco

3. PUBLIC COMMENT ON CLOSED SESSION AGENDA ITEMS

None

4. ADJOURN TO CLOSED SESSION

The meeting adjourned to closed session at 6:32 p.m. to discuss the following items:

A. PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE

B. CONFERENCE WITH LABOR NEGOTIATORS

1. Agency Negotiators: Ed Kisse; Jamie Brown; Spencer Covert

Employee Organization: a) Orange Unified Education Association
b) California School Employees Association

5. CALL TO ORDER – REGULAR SESSION

Mrs. Nichols called the meeting to order at 7:30 p.m.

Members Present:

Moffat, Nichols, Ortega, Poutsma, Smith

Members Absent:

Ledesma, Rocco

Mrs. Nichols opened the meeting with a moment of silence in honor of the passing of James Fearn, who served as a member of the Board of Education from December 1993 to December 1997.

6. PLEDGE OF ALLEGIANCE

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

Mr. Rocco, who had been seated in the audience, joined the Board members at the dais at 7:36 p.m.

7. REPORT OF CLOSED SESSION DECISIONS AS REQUIRED BY THE BROWN ACT

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

8. ADOPTION OF AGENDA

Motion No. 15

It was moved by Mrs. Smith, seconded by Mrs. Moffat and carried by a vote of 5-1-1 (No: Rocco; absent: Ledesma) to adopt the September 13, 2007 agenda.

9. ANNOUNCEMENTS AND ACKNOWLEDGMENTS

Item 9.A. Superintendent's Report

Dr. Godley acknowledged the smooth opening of both the S-Track and T-Track schools.

Dr. Godley announced that the opening ceremony in honor of the renovation and modernization at Prospect Elementary School will be held September 18th at Prospect.

Dr. Godley announced that the Community Forum addressing voluntary drug testing will be held September 25th, 7:00 to 9:00 p.m., in the Board rooms at the District Office.

Dr. Godley announced the names of the OUSD semifinalists in the 2008 National Merit Scholarship Program as follows:

- Armin Arshi, Michael Duong, Riki Patel, Canyon High School
- Leigha Beckman, Corliss Livingston, El Modena High School
- Jonathan Li, Jeffrey Peterson, Jack Williamson, Villa Park High School

Item 9.B. Board President's Report

No report.

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

Mrs. Moffat expressed her appreciation for the moment of silence in honor of Mr. Fearn.

Mrs. Moffat concurred with Dr. Godley and congratulated the schools for the smooth opening.

Mr. Rocco commented on Mr. Fearn's passing.

Item 9.D. Introduction of Student Advisory Council to the Board of Education

Mr. Ledesma arrived at 7:39 p.m.

The members of the Board of Education acknowledged and commended the new members of the Student Advisory Council (SACBE). The SACBE representatives for 2007-08 are: Brendan Adams, Canyon High School; Matt Vorwerk, El Modena High School; Tremone Proctor, Orange High School; Edward Acvedo, Richland High School; Alex Chase, Villa Park High School.

10. APPROVAL OF MINUTES

August 23, 2007 (Regular Meeting)

Motion No. 16

It was moved by Mr. Ortega, seconded by Mrs. Smith and carried by a vote of 6-1 (No: Rocco) to approve the minutes for the August 23, 2007 regular meeting.

**11. PUBLIC COMMENT: Non-Agenda Items
Speakers**

Deena Gammell, thanked the Board for their quick follow-up with the RSP program at Crescent School and presented the Board with a plate of freshly baked brownies.

Eddie Albright, expressed his dismay with the school Board.

12. ACTION ITEMS

Item 12.A. Student Calendars 2008-2009, 2009-2010, 2010-2011

The recommended student calendars for the traditional track and single-track schedules for the 2008-2009 school year and the two tentative calendars for the 2009-2010 and 2010-2011 school years were presented. The calendars as presented meet the California Education Code (sections 46200-46201) requirements for the number of school days and instructional minutes for the school year. The proposed student calendars were presented to the Board of Education for information at the August 23rd Board meeting.

Motion No. 17

It was moved by Mr. Ortega and seconded by Mr. Poutsma to approve the student calendar for the 2008-09 school year and tentatively approve the proposed student calendars for 2009-10 and 2010-11. (See attachments.)

Discussion

A brief discussion took place regarding moving the graduation ceremony to a time when the day is cooler. Dr. Godley noted that this matter will be discussed at the next principal's meeting to explore options.

Motion No. 17 carried by a vote of 6-1 (Abstain: Rocco).

Item 12.B. Adoption of Final Revised Budget 2007-2008

Orange Unified School District as a single-adoption District adopted the 2007-08 budget on June 21, 2007. *Education Code* section 42127(i)(4) specifies that within 45 days after the Governor signs the budget, the district shall make available for public review any material revisions in the revenues and expenditures made available by the Budget Act. As of the printing of this agenda, the State of California has not finalized the 2007/08 state budget. In compliance with AB 1200 requirements, the Board was presented the 2006/07 Unaudited Actuals prior to September 15.

The projected ending balance is \$15,102,000. The unappropriated fund balance is available to fund negotiated contract settlements that occur during the year and also any unexpected additional declines in enrollment or increases in expenditures such as the cost of gasoline. The ending balance meets the state-required three percent reserve, and the 2007-08 budget complies with the AB 1200 accountability guidelines as set forth by the State of California. The District is solvent and has a balanced budget for 2007-08.

Jon Archibald recognized Joe Sorrera and Barbara Stephens for their diligent work in preparing the final budget. Mr. Archibald commented on key points that impact the budget: student enrollment projections; subprime mortgage issues; delays in housing developments; employee compensation; health benefits; and the state economy.

A short video presentation was shown.

Motion No. 18

It was moved by Mr. Ortega, seconded by Mrs. Smith and carried by a vote of 6-1 (Abstain: Rocco) to adopt the final revised budget for the fiscal year 2007-08.

13. INFORMATION/DISCUSSION ITEMS

Item 13 Other Post-Employment Benefits (OPEB) Funding

Representatives from the Dolinka Group, Inc. presented information evaluating the benefit of funding obligations for Other Post-Employment Benefits (OPEB) with taxable variable rate index bonds. The District has a \$150 million OPEB liability according to an actuarial valuation completed by the Epler Company. The District currently funds the OPEB liability on a pay-as-you-go basis that requires an annual expenditure for retiree health benefits. The pay-as-you-go funding model will require expenditures exceeding \$352 million over the life of the OPEB

liability (2079/2080). Funding this liability as presented would reduce future expenditures for OPEB by over \$98 million.

There was a consensus by the Board to move forward with this project.

14. CONSENT ITEMS

Pulled Item

Item 14.D. Contract Services Report – Business Services, page 15

Pulled by Mr. Ledesma

Motion No. 19

It was moved by Mr. Poutsma, seconded by Mr. Ortega and carried by a vote of 6-1 (No: Rocco) to approve the consent items minus 14.D, page 15.

Item 14.A. Purchase Orders List

The Board approved the Purchase Order List dated June 11 through June 30, 2007 in the amount of \$3,653,339.81 and the Purchase Orders List dated August 13 through August 30, 2007 in the amount of \$2,804,649.87. See attached Purchase Orders List.

Item 14.B. Warrants List

The Board accepted the Warrants List dated August 13 through August 30, 2007 in the amount of \$2,466,286.53. See attached Warrants List.

Item 14.C. Gifts

The Board accepted the attached list of cash donations. A letter of appreciation will be forwarded to the benefactors.

Item 14.D. Contract Services Report – Business Services

The contract services report for Business Services was approved as follows:

ASSESSMENT & ASSOCIATES INTERNATIONAL

Assessment & Associates International will provide services to the OUSD Nutrition Network in data collection, assessment and analysis. Services will include designing instrumentation to collect statistical information, provide final reports on data collected for the OUSD Nutrition Network, and provide all data collection data entry, for the purpose of tracking outcomes of nutrition education interventions.

Categorical funding/Nutrition Network (not to exceed)...\$7,500

CALIFORNIA NUTRITION NETWORK YOUTH EMPOWERMENT PILOT PROJECT

OUSD Nutrition Network has been chosen as one of five school districts statewide to pilot a special Youth Empowerment Pilot Project. With the assistance of OUSD Nutrition Network Coordinator, OUSD will be reimbursed for the period of November 15, 2006 to September 30,

2007. This additional funding will permit to engage and pay up to 12 Orange High School students and Ms. Patty Maize (lead person, consultant agreement approved August 23) to meet, engage, and support/train in identifying nutrition and physical activity issues. Students, Lead Person, and OUSD Nutrition Network Coordinator will conduct weekly meetings to provide assistance and support to compile a report on nutrition and/or physical activity issues 12 OHS students investigate. The funding and guidelines for this additional grant funding (pilot project) include travel, meetings, retreat, and presentations, reimbursement for expenses directly related to this pilot project for Lead Person and \$500 for each youth identified to participate on this project at the end of the contract period.

Categorical funding/Nutrition Network (not-to-exceed)...\$14,700

CALIFORNIA NUTRITION NETWORK ORANGE COUNTY HEALTH CARE AGENCY MINI-GRANT

OUSD Nutrition Network has been chosen as one of six Orange County Health Care Agencies Regional Nutrition Network mini grant recipients for the period of March 16, 2007 to September 30, 2007. With the assistance of the OUSD Nutrition Network Coordinator, Palmyra Elementary teacher, Cindy Thomas, and School Nurse, Sharon Tipple, will implement and pilot "Follow the Leader," a PE program developed by Ms. Thomas. The contract funding and guidelines will provide extra earnings for Ms. Thomas to help create a training video and manual for other OUSD school sites to utilize. This is a 40-minute weekly program for eight weeks led by 5th & 6th grade students for 1st & 2nd grade students. This project will include impact evaluations for effectiveness.

Categorical funding/Nutrition Network (not-to-exceed)...\$4,900

MILLER BROWN & DANNIS

Pulled for separate action. See Motion No. 20

DAVIS DEMOGRAPHICS AND PLANNING, INC.

Pulled for separate action. See Motion No. 21.

NTD STICHLER ARCHITECTURE

Pulled for separate action. See Motion No. 20

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).

BID #FC6004 – Modernization Phase I – Prospect Elementary School

Project(s):	Prospect Elementary School-Modernization
Original Board Approval:	July 20, 2006
Original Purchase Order:	702208 (\$3,417,000 Phase I & II)
Completion Date:	August 24, 2007 (Phase I)
Contractor:	AMD Construction Group, Inc.
Original Project Amount:	\$1,943,873

Change Order(s) Amount: \$ -0- (Phase I change order retention continues to be retained)
Total Project Amount: \$1,943,873
Fund(s): Special Reserves (40)

BID NO. 570 – Unit Price Contract – Replace existing gas and water valves

Project(s): California Elementary School
Board Approval: August 24, 2006
Original Purchase Order: 800907
Completion Date: August 22, 2007
Contractor: Verne's Plumbing
Original Project Amount: \$31,992.82
Change Order(s) Amount: \$ - 0 -
Total Project Amount: \$31,992.82
Fund(s): Deferred Maintenance (14)

BID NO. 577 – Unit Price Contract – Installation of electrical conduits and conductors for parking lot lights

Project(s): Crescent School
Board Approval: March 29, 2007
Original Purchase Order: 800443
Completion Date: August 14, 2007
Contractor: Stone Electric, Inc.
Original Project Amount: \$35,497.00
Change Order(s) Amount: \$ - 0 -
Total Project Amount: \$35,497.00
Fund(s): Deferred Maintenance (14)

BID NO. 577 – Unit Price Contract – Installation of parking lot lights

Project(s): El Modena High School
Board Approval: March 29, 2007
Original Purchase Order: 800503
Completion Date: August 2, 2007
Contractor: Stone Electric, Inc.
Original Project Amount: \$43,641.00
Change Order(s) Amount: \$ - 0 -
Total Project Amount: \$43,641.00
Fund(s): Deferred Maintenance (14)

BID NO. 594 – Exterior Painting

Project(s): Villa Park Elementary School
Board Approval: June 21, 2007
Original Purchase Order: 800932

Completion Date: August 12, 2007
Contractor: Alpha Décor & Painting, Inc.
Original Project Amount: \$38,000.00
Change Order(s) Amount: \$ - 0 -
Total Project Amount: \$38,000.00
Fund(s): Deferred Maintenance (14)

BID NO. 595 – Exterior Painting

Project(s): La Veta Elementary School
Board Approval: June 21, 2007
Original Purchase Order: 800933
Completion Date: August 24, 2007
Contractor: Kronos Painting, Inc.
Original Project Amount: \$39,000.00
Change Order(s) Amount: \$ - 0 -
Total Project Amount: \$39,000.00
Fund(s): State School Building Fund (35)

Item 14.F. Bid No. 123-07: Award of Contract – Gasoline and Diesel Fuels

The Board awarded Bid No. 123-07 for the contract for gasoline and diesel fuel to Petro Diamond Inc. for gasoline and to Southern Counties Oil Company for diesel.

Item 14.G. Modernization Project at Esplanade Elementary School, Tadros & Youssef Construction, Inc, Change Order No. 2, Bid No. FC6007

The Board ratified Change Order No. 2 to the original Agreement, as referenced on Purchase Order No. 705206, Bid No. FC6007 to Tadros & Youssef Construction, Inc. modernization project, at Esplanade Elementary School.

Item 14.H. Resolution No. 05-07-08, Gann Amendment Appropriations Limit

The Board adopted Resolution No. 05-07-08, Gann Amendment Appropriations Limit, regarding the appropriations limit for current and preceding fiscal years. (See attachment.)

Item 14.I. National Fire Protection Association Membership

The Board authorized membership in the National Fire Protection Association for the 2007-08 school year.

Item 14.J. Liability Claim No. 07/08-002 A, B, & C

The Board rejected Liability Claim No. 07/08-002 A, B and C.

Item 14.K. Liability Claim No. 07/08-003

The Board rejected Liability Claim No. 07/08-003.

Item 14.L. Personnel Report

The Board approved the attached Personnel Report.

Item 14.M. Student Teacher Assignments/Agreements

The Board approved the attached Teacher Assignments/Agreements as presented.

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

The Board approved the variable term waiver as presented.

Item 14.O. Student Teaching Agreement – California State Polytechnic University, Pomona

The Board approved the Student Teaching Agreement with California State Polytechnic University, Pomona.

Item 14.S. Contract Services Report – Educational Services

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

EAGLE SOFTWARE

Eagle Software will provide two days training on the Aeries Assessment Component. This training will benefit staff in the Research and Assessment, Information Services and Curriculum departments. The cost is \$1500 per day.

Information Services not to exceed \$3,000

HOSTS LEARNING

Olive Elementary plans to continue the HOSTS Link Program license for the 2007-08 year. HOSTS Link has been a successful intervention program at Olive for the past four years. Renewing the license will provide Olive with product updates and access to HOSTS Learning Helpline technical assistance. HOSTS Learning will also provide system support services.

Outside Services not to exceed \$7,112

ART MASTERS

Art Masters will provide four assembly programs at Taft Elementary School during the 2007-08 school year. The program features a master artist in a sequential series that provides a complete art curriculum. The program includes slide assemblies, classroom art activities and resources. Students will learn to identify style and explore the poetic and expressive nature of art.

Art, Music & PE Grant not to exceed \$2,443

ART MASTERS

Art Masters will provide four assembly programs at Linda Vista Elementary School for the 2007-08 year. The program features a master artist in a sequential series that provides a complete art curriculum. The program includes slide assemblies classroom art activities and resources.

Students will learn to identify style and explore the poetic and expressive nature of art.

Art, Music & PE Grantnot to exceed \$4,367

JOHN PATRICK YEISER

Mr. Yeiser, of Music Legacy, will provide multi-cultural music presentations at Taft Elementary during the 2007-08 year. Students in grades K-6 will learn about other cultures and their music.
Art, Music & PE Grant not to exceed \$2,400

**2007-2008 INSIDE THE
OUTDOORS: FIELD & SCHOOL PROGRAMS**

The Orange County Department of Education offers the Inside the Outdoors Program for students in grades K-6. The program includes a one-hour on-site program (School Program) with a traveling naturalist for K-3 students. This program provides the foundation for student participation in the Outdoor Science School Program. Students at each participating school are responsible for funding the program. The cost varies by school site, with no impact to the general fund. The funding can be supplemented by funds donated from individual parent organizations.
Elementary Education (Morga)

2007-2008 OUTDOOR SCIENCE

The Orange County Department of Education offers the Outdoor Science School for 6th grade students. A four or five-day program provides students an opportunity to study science in a natural setting. The curriculum correlates to the 6th grade science standards. Students at each participating school are responsible for funding the program. The cost varies by school site, with no impact to the general fund. The funding can be supplemented by funds donated from individual parent organizations. Scholarships are available.
Elementary Education Morga)

**ORANGE COUNTY DEPARTMENT OF EDUCATION
(Reading First Grant)**

The Orange County Department of Education will conduct customized training to support Reading First Schools in the implementation of the "Reading First" grant for the 2007-08 year. The training workshops will focus on Universal Access emphasizing differentiated instruction; reflect, revisit and revise instruction to teach all students; analyze data to determine tiered groups and plan effective instruction; and engage in collaborative conversations to guide purposeful inquiry. The cost per participant will be \$500 for three days of training, not to exceed a total of 40 participants. This cost includes training, materials and expenses.
Reading First Grant not-to-exceed \$50,000

RIVERDEEP INC., LLC

Riverdeep will provide Destination Math Program training at three secondary schools for the 2007-08 school year. Destination Math is a supplemental program that provides reinforcement and review in foundation math courses through courses in algebra. The cost is \$1,500 per day for each school.
Information Services not-to-exceed \$4,500

Item 14.Q. Study Trips

The Board approved the following study trip:

Taft Elementary School, 4th Grade Gate Class – Catalina Island, October 31-November 2, 2007

Under the direction of Monique Shepherd, the Taft Elementary 4th grade class will travel to Catalina Island on October 31 through November 2, 2007 to participate in the Catalina Environmental Leadership Program. Students will gain knowledge of the ecosystems of Catalina and learn how to preserve the environment. This program meets current science standards. Total cost per student is \$250 and scholarships are available.

Item 14.R. Expulsion of Student: Case No. 07-08-01

The Board upheld the recommendation of the Administrative Hearing Panel.

Item 14.S. Expulsion (Admission) of Student: Case No. 07-08-02

The Board upheld the recommendation of the Administrative Hearing Panel.

Item 14.T. Contract Services Report – Pupil Services

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

DR. CHRIS DAVIDSON

The attendance of Dr. Chris Davidson was required at an IEP and planning meeting for a special education student in July 2007.

Special Education not-to-exceed \$782

ANAHEIM HILLS SPEECH & LANGUAGE

Anaheim Hills Speech and Language will provide speech and language therapy for special education students, per their IEP, during the 2007/2008 school year.

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

ORANGE COUNTY DEPARTMENT OF EDUCATION

The District, along with the other Orange County SELPAs, participates in the Special Education Legal Alliance, which provides opportunities to address issues without litigation. The billing for the 2007/2008 school year is based on actual student enrollment at \$.20 per student.

Special Education not-to-exceed \$5,800

AMERICAN LOGISTICS COMPANY, LLC

The services of American Logistics Company, LLC, are required to provide transportation for special education students to non-public schools and out-of-district schools.

Special Education not-to-exceed \$10,000

SPECIAL EDUCATION STUDENT #267594

As the result of an agreement in OAH Case No. N2006080958, the District will reimburse the parents for educational services and transportation upon receipt of appropriate proof of payment

and documentation.

Special Education not-to-exceed \$825

LAW OFFICE OF TANIA L. WHITELEATHER

As the result of an agreement in OAH Case No. N2006080958, the District will reimburse parents for attorney's fees upon presentation of an itemized billing statement.

Special Education not-to-exceed \$2,275

Item 14.U. 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.V. Special Education Non-Public Schools & Designated Instructional Services 2007-08

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

Items Pulled

Item 14.D., Page 15

Mr. Ledesma requested a separate vote on the Miller Brown & Dannis contract and discussion on the Davis Demographics contract.

Motion No. 20

It was moved by Mrs. Smith, seconded by Mr. Poutsma and carried by a vote of 5-2 (No: Ledesma, Rocco) to approve all items on page 15 – Miller Brown & Dannis and NTD Stichler Architecture – except Davis Demographics, as follows.

MILLER BROWN & DANNIS

The District has an existing agreement for legal services with the law firm of Miller Brown & Dannis dated July 1, 2007 through June 30, 2008. There is existing Board approval from February 8, 2007, for \$7,500 for legal matters pertaining to Modernization projects. Currently, there is \$7,396 remaining on that approval. Staff wishes to extend the time period only, using the new District agreement, through June 30, 2008.

No additional financial impact.....(Christensen)

NTD STICHLER ARCHITECTURE

The District has a program at Imperial Elementary School for the visually impaired. To support the education of these students in the use of this signage, the District wishes to install the ADA (Americans with Disabilities Act) signs and requires the services of an architect to design and provide drawings for these signs. The plans will be submitted to DSA for approval and the project will be bundled with a future modernization project for partial reimbursement through

the Office of Public School Construction (OPSC) modernization program.
Developer Fees.....not-to-exceed.....\$10,000

DAVIS DEMOGRAPHICS AND PLANNING, INC.

Discussion

Mr. Ledesma questioned the demographic study that had been proposed approximately one year ago to identify future student enrollment coupled with a facilities needs. Mr. Archibald responded that the District is using the Davis Demographics Report received this year to update the facilities piece which will be presented in the upcoming months.

Motion No. 21

It was moved by Mr. Ledesma, seconded by Mrs. Smith and carried by a vote of 6-1 (No: Rocco) to approve Davis Demographics and Planning, Inc., as follows.

Davis Demographics and Planning (DDP) has worked with the District over the last 11 years to provide enrollment and demographics projections by integrating the District's student database into a geographic information systems (GIS) program. To be an effective tool for the management and planning of facilities, the data must be collected annually. The data collection date corresponds annually with the State of California's CBEDS reporting date. DDP will update the GIS data layers (streets, boundaries, student geocoding and residential development). Data will be downloaded for the District's Student Data System and training hours to be used as needed.
Capitol Facilities Fund..... not-to-exceed.....\$18,200

15. PUBLIC COMMENTS: Non-Agenda Items

There were no speakers.

16. OTHER BUSINESS (Board/Staff Conference and Comments)

Mr. Rocco asked for clarification on the July 19, 2007 minutes regarding Board members present for quorum.

Mrs. Nichols noted that the tape recording would be reviewed and the minutes corrected accordingly.

Mrs. Moffat suggested documenting each Board member's arrival time to establish quorum.

17. ADJOURNMENT

By call of the chair, the meeting adjourned at 8:55 p.m.



John Ortega
Clerk of the Board
Wes Poutsma, Vice President