

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

**Thursday • September 25, 2008  
6:30 P.M. • Closed Session  
7:30 P.M. • Regular Session**

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**MINUTES**

**1. CALL MEETING TO ORDER**

Board President Poutsma called the meeting to order at 6:31 p.m.

**2. ESTABLISH QUORUM**

Board Members Present for Closed Session:

Ledesma, Moffat, Nichols, Ortega, Poutsma, Smith

Board Members Absent from Closed Session:

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. PUBLIC EMPLOYEE APPOINTMENT

Elementary School Assistant Principal (one position)

C. CONFERENCE WITH LABOR NEGOTIATORS

Government Code 54957.6

Agency Negotiators: Ed Kisse; Jamie Brown; Spencer Covert, Parker & Covert LLP

Employee Organizations: a) Orange Unified Education Association

b) California School Employees Association

D. PUBLIC EMPLOYEE PERFORMANCE EVALUATION

Title: Superintendent

***Mr. Poutsma was absent from open session due to illness. Vice President Smith presided over the meeting.***

**5. CALL TO ORDER – REGULAR SESSION**

Mrs. Smith called the meeting to order at 7:34 p.m.

Board Members Present:

Ledesma, Moffat, Nichols, Ortega, Rocco, Smith

Board Member(s) Absent:

Poutsma

## 6. PLEDGE OF ALLEGIANCE

Mrs. Smith invited the audience to join the Board of Education in reciting the Pledge of Allegiance.

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

The Board took action to appoint Antoinette Choi to the position of Elementary School Assistant Principal.

### Yellow Sheet Item

**Item No.12.A. Resolution No. 13-08-09: ~~Approving~~ Receive the Form of and Authorizing the Execution and Delivery of a Ground Lease, a Lease Agreement, an Assignment Agreement, a Trust Agreement, a Reimbursement Agreement, a Contract of Purchase, a Remarketing Agreement, a Continuing Disclosure Agreement, and an Official Statement Relating to a Lease Financing and Approving Certain Actions in Connection Therewith for a First Reading**

*A modification was made to receive this resolution as a first reading instead of taking action to approve it.*

## 8. ADOPTION OF AGENDA

### **Motion No. 22**

It was moved by Mrs. Nichols, seconded by Mr. Ortega, and carried by a vote of 5-1-1 (No: Rocco; Absent: Poutsma) to adopt the September 25, 2008 agenda to include the modification to Item 12.A as listed above.

## 9. ANNOUNCEMENTS AND ACKNOWLEDGMENTS

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

**Dr. Dreier** reported the following:

- The governor signed the state budget, 85 days into the fiscal year. It is essentially a flat budget for education.
- There are 11 OUSD National Merit Scholarship Program semifinalists from three high schools: Canyon, El Modena and Villa Park. These students are eligible to compete for National Merit finalists. Students, parents, teachers and staff who have supported these exceptional students were recognized. The finalists will be named in April 2009.

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- The District qualified for the Arnold & Mabel Beckman Foundation grant in the amount of \$225,000 for sustaining the hands-on, inquiry-based science program. The initial grant began seven years ago with \$50,000, went to \$162,000 in the fifth year, and last year increased to \$217,000. Dr. Dreier acknowledged and recognized the many individuals who have worked with and supported this program over the years, and in particular, Peg Benzie, for her leadership.
  - A presentation will be made at tonight's meeting regarding the issuance of Certificates of Participation to refinance prior projects and provide new funding for additional modernization projects. The District has made facilities modernization a priority in order to provide quality facilities for all students.
  - Beginning next Tuesday, the District will host renovation ceremonies for the three newly modernized schools: Esplanade ES (October 7); Jordan ES (October 21) and Portola MS (November 6).

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

Mr. Poutsma was absent.

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

- **Outstanding Customer Service Incentive Program**

The Board of Education recognized **Ismael Perez**, Lead Custodian at the District Office, as the recipient of the Outstanding Customer Service Award for the month of September. Mrs. Smith presented Mr. Perez with a Certificate of Recognition.

**Item 9.D. Proclamation Declaring "Walk to School Week" and "Walk to School Day"**

"Walk to School" month raises awareness about the positive ways walking and bicycling to school helps children and communities. "Walk to School" events are fun and educational. Whether participating in "Walk to School Week" for just one day, the week, or all year long, the focus is to create safe and pleasant neighborhoods for children walking to and from school.

**Motion No. 23**

It was moved by Mrs. Nichols, seconded by Mrs. Moffat and carried by a vote of 5-1-1 (Abstain: Rocco; Absent: Poutsma) to adopt the proclamation declaring "Walk to School Week" and "Walk to School Day."

**10. APPROVAL OF MINUTES**

None to approve

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

No speakers

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**12. ACTION ITEMS**

**Item 12.A. Resolution No. 13-08-09: Approving Receive the Form of and Authorizing the Execution and Delivery of a Ground Lease, a Lease Agreement, an Assignment Agreement, a Trust Agreement, a Reimbursement Agreement, a Contract of Purchase, a Remarketing Agreement, a Continuing Disclosure Agreement, and an Official Statement Relating to a Lease Financing and Approving Certain Actions in Connection Therewith for a First Reading**

Mr. Jon Archibald presented information regarding the proposed financing of the District's 2008 Certificates of Participation. Due to the current economic situation in the country, the Board will not take action on this item tonight, but will receive the information and answer questions. Additional information was provided by Mr. John Baracy, from Stone & Youngberg, and Mr. Jim Anderson, from McFarlin & Anderson.

Orange Unified School District 2008 Certificates of Participation will refinance prior projects and provide new financing for acquisition, construction, installation, and improvement of certain school facilities. Approximately \$53 million will be refinanced and \$42 million will be provided for new projects. This funding will allow the current school modernization program to continue and several addition schools to be modernized. The Certificates of Participation will be repaid using funds received through various Redevelopment agencies that can only be used for facilities projects. This resolution will authorize execution of the documents necessary to complete this financing. The Official Statement was sent to the Board of Education on September 18, 2008. This financing will provide approximately \$42 million for school facilities.

Board discussion followed the presentation.

**Motion No. 24**

It was moved by Mrs. Nichols, seconded by Mr. Ortega and carried by a vote of 5-1-1 (No: Rocco; Absent: Poutsma) to receive Resolution No. 13-08-09, which recommends approving the form of and authorizing the execution and delivery of a Ground Lease, a Lease Agreement, an Assignment Agreement, a Trust Agreement, a Reimbursement Agreement, a Contract of Purchase, a Remarketing Agreement, a Continuing Disclosure Agreement and an Official Statement relating to a Lease Financing and approving certain actions in connection therewith for a first reading.

**13. INFORMATION/DISCUSSION ITEMS**

No items

**14. CONSENT ITEMS**

**Pulled Item(s)**

**Item No. 14.A. Contract Services Report – Business Services**

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Pulled by Mr. Ledesma.

**Motion No. 25**

It was moved by Mrs. Nichols, seconded by Mr. Ortega and carried by a vote of 5-1-1 (No: Rocco; Absent: Poutsma) to approve the consent items minus Item 14.A.

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

*This item was pulled for discussion and separate action. See Motion No. 26*

**Item 14.B. Purchase Orders List**

The Board approved the Purchase Order List dated August 27 through September 14, 2008 in the amount of \$5,379,875.13. See attached Purchase Orders Lists.

**Item 14.C. Warrants List**

The Board accepted the Warrants List dated August 27 through September 14, 2008 in the amount of \$4,998,020.33. See attached Warrants Lists.

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

The following contract services were approved as listed:

**AESCOTECHNOLOGIES, INC.**

The District requires geotechnical surveying services for the planning phases of the modernization projects. Fees are based on the results of an informal proposal solicited to 17 firms. Eight firms submitted proposals which were due by September 11, 2008. AESCO Technologies, Inc. is qualified to perform these services.

Special Reserve/Capital Projects.....not to exceed.....\$17,550

**FBA ENGINEERING**

The District requires the services of a qualified engineering firm for the new fire detection and alarm system at Imperial Elementary. FBA Engineering will provide electrical engineering services for this project. They will also obtain the Department of the State Architect (DSA) approval for the project and provide project oversight.

Deferred Maintenance..... not to exceed..... \$18,600

**JJJ FLOORING – Flooring – UPC Bid 605**

Bid No. 605 is for the award of a Unit Price Contract (UPC) for District required general flooring work; including installation, repairs and replacement. The UPC will allow the District to procure flooring services on an as needed basis at competitively bid prices for up to three years. The contractor will provide all labor, equipment, and material to successfully complete the required projects. In addition to the required advertised Public Notice, two contractors and six plan rooms were provided direct notification. One contractor submitted a bid. A second contractor submitted a late bid which was rejected. District Staff consider the pricing to be competitive, fair and reasonable. It is recommended that the Board of Education award Bid No. 605 to the

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lowest responsible bidder, JJJ Flooring. Expenditures are made from all sites, programs and department budgets. This is not a request for any additional budgetary appropriation.

**MJ PAONE ARCHITECTS**

Architectural and engineering services are required for an evaluation of repairs necessary due to the expansion of soil and movement of the flooring slab at Linda Vista Elementary School. MJ Paone Architects is familiar with the site and has the experience and availability to provide these services.

Deferred Maintenance.....not to exceed.....\$25,000

**T & Y CONSTRUCTION, INC**

The District awarded Bid No. FC6013 – Modernization – Portola Middle School to T & Y Construction, Inc., on December 14, 2006. Change Order No. 14 increases the value of the contract and does not add any additional time to the contract. The cost and scope were reviewed and found to be reasonable by the architect, construction manager and staff. This Change Order falls within the allowable maximum per the Public Contract Code.

Special Reserve/Capital Projects.....\$12,188

**UNIVERSAL ASPHALT – Asphalt – UPC Bid 607**

Bid No. 607 is for the award of a Unit Price Contract (UPC) for District required general asphalt work including installation, repairs and replacement. The UPC will allow the District to procure asphalt services on an as needed basis at competitively bid prices for up to three years. The contractor will provide all labor, equipment, and material to successfully complete the required projects. In addition to the required advertised Public Notice, five contractors and six plan rooms were provided direct notification. Five contractors submitted bids. It is recommended that the Board of Education award Bid No. 607 to the lowest responsible bidder, Universal Asphalt Co. Expenditures are made from all sites, programs and department budgets. This is not a request for any additional budgetary appropriation.

**VERNES PLUMBING – Plumbing – UPC Bid 606**

Bid No. 606 is for the award of a Unit Price Contract (UPC) for District required general plumbing work including installation, repairs and replacement. The UPC will allow the District to procure plumbing services on an as needed basis at competitively bid prices for up to three years. The contractor will provide all labor, equipment, and material to successfully complete the required projects. In addition to the required advertised Public Notice, two contractors and six plan rooms were provided direct notification. One contractor submitted a bid. A second contractor arrived late. District Staff consider the pricing to be competitive, fair and reasonable. It is recommended that the Board of Education award Bid No. 606 to the lowest responsible bidder, Verne’s Plumbing. Expenditures are made from all sites, programs and department budgets. This is not a request for any additional budgetary appropriation.

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

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The contract(s) listed were accepted by the Board prior to filing of appropriate notice(s) of completion:

**BID #566 - Asphalt – Jordan Elementary School**

Project(s):	Parking Lot Extension
Original Board Approval:	August 23, 2007
Original Purchase Order:	#901753
Completion Date:	September 11, 2008
Contractor:	Universal Asphalt Co., Inc.
Original Project Amount:	\$21,180
Change Order(s) Amount:	\$ -0-
Total Project Amount:	\$21,180
Fund(s):	Special Reserves(40)

**Item 14.F. Personnel Report**

The Board approved the attached Personnel Report.

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

The Board approved the attached student teaching assignment lists.

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

The following contract services were approved as listed:

**SANTIAGO CANYON COLLEGE ESSAY WRITING WORKSHOP**

Santiago Canyon College will hold a College Application Essay Writing Workshop, on Saturday, October 4, 2008. This workshop will assist ten students to improve their chances of entering college by establishing how to write an impressive personal essay. Students will improve their essay writing skills and learn how to convey their strengths in an essay. This workshop is being offered to students in the District Title VII Native American Education Program who are preparing to apply for college and need assistance in essay writing. The cost of \$59 per student will be funded by the Title VII Native American Education Program. Fiscal impact will be the expenditure of restricted categorical fund monies.

Title VII Native American Program . . . . not-to-exceed . . . . \$590

**ORANGE COUNTY DEPARTMENT OF EDUCATION (Program Improvement – Year 1)**

The Orange County Department of Education will provide technical assistance to Taft Elementary School that has been identified as a Year 1 Program Improvement school under the requirements of the *No Child Left Behind* legislation. Under this legislation, within three months of Program Improvement identification, the school must revise the school plan in consultation with parents, school staff, and outside experts. The OCDE will work with Taft Elementary staff, the site planning team, the principal, and the District Program Improvement Site Support Team to revise the school plan based upon the Nine Essential Program Elements for curriculum, instruction and assessment coherence. A trained team will be provided to facilitate the collection and evaluation of data based on the Nine Essential Program Elements; work with the District School

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Liaison Team and school leaders to come to agreement about actions, steps and benchmarks for the revised plan; and monitor the implementation of those actions.

Fiscal Impact: Expenditure of restricted categorical funds.

Title I Funding . . . . . not-to-exceed . . . . . \$15,000

**PEARSON EDUCATION**

School districts are required to provide an equitable share of federal monies to private schools within the district’s attendance boundaries. Pearson Education, led by Brad Ermeling, Executive Director of Learning Teams, will provide ongoing design, leadership, facilitation and instructional improvement training for 16 teacher work groups at Lutheran High School during the 2008-09 school year. Services include access to Lesson Labs, a video-based technology platform. Fiscal impact will be the expenditure of restricted categorical fund monies.

Title II, Part A . . . . . not-to-exceed . . . . . \$25,000

**PARENT INSTITUTE FOR QUALITY EDUCATION**

The Parent Institute for Quality Education will provide parent training for the parents of students enrolled at Yorba Middle School. The trainings will take place at Yorba Middle School October 16, through December 18, 2008. The trainings are designed to develop skills and techniques which will enable parents to address the educational needs of their school-aged children. The cost for this training is \$75 per parent graduate. Fiscal impact: Expenditure of restricted categorical fund monies.

Title I Part A . . . . . not-to-exceed . . . . . \$3,000

EIA . . . . . not-to-exceed . . . . . \$1,500

**ELUMINATE USA, INC.**

The District will renew the contract with Elliminate USA, Inc. Elluminate is built specifically for live, multi-media synchronous collaborations. Elluminate enables communication, collaboration and education that transforms teaching and learning and ensures that all students are in sync, regardless of computer platform or Internet connection speed and receive a more interactive learning experience. The maintenance agreement is for the period of 10/26/2008 to 10/25/2009.

Education Technology . . . . . not-to-exceed . . . . . \$4,860

**I.T. ACTION, INC.**

I.T. Action, Inc. will provide programming and technical support for OUSD Portal which will consolidate logins and passwords for Parents, Students, Teachers and Administration during 2008-09 school years.

Educational Technology . . . . .not-to-exceed . . . . . \$2,200

**Item 14.N. Study Trips**

The Board approved the following study trips:

El Modena High School Marching Band & Colorguard Pleasant Hill, CA – November 21-23



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El Modena's Marching Band & Colorguard, under the direction of Coach Charlie Attebury, will travel to Pleasant Hills, for the Western Band Association Marching Band Contest to compete in the Western Band Association championships. Twenty-five male and twenty-five female students will be accompanied by four male and six female adult chaperones. Transportation will be provided by Ameri charter busses and will be paid by band boosters. Students and adults will be staying at the Hyatt Summerfield Suites in Pleasant Hill. Students will miss one day of school and no substitute will be required. The cost per student is \$200 and scholarships are available.

McPherson and Panorama Schools - 6<sup>th</sup> Grade Classes Outdoor Science School at Cedar Crest - October 13-17, 2008

The sixth grade students from McPherson and Panorama Schools will participate in The Orange County Department of Education's Outdoor Science School program. This five-day program provides students an opportunity to study science in a natural setting. The curriculum correlates to the 6<sup>th</sup> grade science standards. Students attending the program from each participating school are responsible for the program cost. There is no impact to the general fund. The student cost may be supplemented by funds donated from individual parent organizations. The cost will not exceed \$350 per student and scholarships are available. No substitute will be required.

**Item 14.J. Course Approval: Accelerated Introduction to English Language**

The Board approved the above-described course presented by the District's Curriculum Council.

**Item 14.K. Contract Services Report – Pupil Services**

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

**LEANN SCHOUTEN, M.S., CCC-SLP**

The additional services of Leann Schouten were required for the purpose of providing speech therapy to individuals with exceptional needs during the 2007/2008 school year.

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

**LINDAMOOD-BELL LEARNING PROCESSES**

The services of Lindamood-Bell Learning Processes are required for the purpose of providing one-on-one clinical instruction for students with exceptional needs during the 2008/2009 school year.

Special Education . . . . . not-to-exceed . . . . . \$1,780

**THANH NHAN LAC LY, BRAILLE TRANSCRIBER**

The services of Thanh Ly are required for transcription of school work for visually impaired special education students during the 2007/08 and 2008/09 school years.

Special Education . . . . . not-to-exceed . . . . . \$7,500

**MAXIM HEALTHCARE SERVICES**

The additional services of Maxim Healthcare were required to provide continuous nursing services to ventilator-dependent and severely medically fragile students during the school day for

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the 2007/2008 school year.

Special Education . . . . . not-to-exceed . . . . . \$620

**COMPREHENSIVE EDUCATIONAL SERVICES, INC. DBA: ACES**

The services of Comprehensive Educational Services are required to perform assessment for special education students during the 2008/2009 school year..

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

**VICKI JOHNSON, CCC-SLP+**

The services of Vicki Johnson, CCC-SLP, are required to provide speech and language services to special education students as required by law during the 2008/2009 school year.

01.00-6500-0-5850-5770-1190-207-207-000 . . . . . \$25,000

01.00-6500-0-5150-5770-1190-207-207-000 . . . . . \$10,000

**NEWPORT SPEECH AND LANGUAGE CENTER**

The services of Newport Speech and Language Center are required to provide full-time speech and language therapists for special education students, as required by law, during the 2008/2009 school year.

01.00-6500-0-5850-5770-1190-207-207-000 . . . . . \$25,000

01.00-6500-0-5150-5770-1190-207-207-000 . . . . . \$92,000

**SO. CALIFORNIA COLLEGE OF OPTOMETRY**

The specialized services of So. California College of Optometry are required for visually impaired special education students during the 2008/2009 school year.

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

**LINKS SIGN LANGUAGE SERVICES**

The services of Links Sign Language Services are required to provide translation for a deaf District employee during the 2008/2009 school year.

Special Education . . . . . not-to-exceed . . . . . \$8,000

**FRANCESCA BALADA, PSY.D.**

The services of Francesca Balada, Clinical Psychologist, are required to perform an Independent Educational Evaluation of a special education student.

Special Education . . . . . not-to-exceed . . . . . \$780

**AUTISM SPECTRUM CONSULTANTS, INC.**

The services of Autism Spectrum Consultants are required to provide one-on-one behavior intervention and supervision to a special education student during the 2008/2009 school year.

Special Education . . . . . not-to-exceed . . . . .

01.00-6500-0-5871-5770-1190-207-207-000 . . . . . \$25,000

01.00-6500-0-5171-5770-1190-207-207-000 . . . . . \$68,400

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**SPECIAL EDUCATION STUDENT #326223**

As the result of an IEP, the District agrees to reimburse the parents of a special education for educational related mileage during the 2008/2009 school year. Parent will submit a monthly mileage log for reimbursement.

Special Education . . . . . not-to-exceed . . . . . \$10,800

**CINNAMON HILLS YOUTH CRISIS CENTER**

The services of Cinnamon Hills Youth Crisis Center are required for the purpose of providing special education and/or related services to individuals with exceptional needs during the 2008/2009 school year.

Special Education . . . . . not-to-exceed . . . . . \$34,775

**CAREER STAFF UNLIMITED**

The services of Career Staff Unlimited are required to provide occupational therapy to special education students, as required by law, during the 2008/2009 school year and extended year.

01.00-6500-0-5850-5770-1190-207-207-000 . . . . . \$25,000

01.00-6500-0-5850-5770-1190-207-207-000 . . . . . \$75,000

**PULLED ITEM**

*The following item was pulled by Mr. Ledesma for discussion and separate action.*

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

Mr. Ledesma commented that these items should be considered as administrative costs to the District. He suggested that the next time administrative costs are calculated that consultant costs be added as part of the costs. He also suggested adding legal fees to present a true administrative cost.

Mrs. Moffat questioned if this is comparable procedurally to what all other school districts do.

**Motion No. 26**

It was moved by Mrs. Nichols, seconded by Mr. Ortega and carried by a vote of 4-2-1 (No: Ledesma, Rocco; Absent: Poutsma) to approve the business service contracts as follows:

**SADLER CONSULTING**

Bob Sadler, a Method Teaming Practitioner and Instructor of Sadler Consulting, will provide three days of professional development – strategic planning – to the District. This training will be funded with monies budgeted and allocated for this purpose.

Outside Professional Services.....not-to-exceed.....\$8,500

**CANDACE J. SIMPSON**

In conjunction with the strategic planning workshop with Sadler Consulting, Ms. Simpson will assist Mr. Sadler in organizing and carrying out the workshop. Since retiring from public education in 2000, Ms. Simpson has worked as a consultant and facilitator for school districts and

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nonprofit organizations on strategic goal-setting and instructional methods.  
Outside Professional Services.....not-to-exceed.....\$5,500

**VISUAL INK, LLC**

Visual Ink helps companies communicate more effectively through the use of visuals, balancing words and images to help people not only see the big picture, but help them clarify and create their particular story. When the image is complete, people have a clear story that inspires them to work toward their particular goal. Visual Ink will work in conjunction with Sadler Consulting for strategic planning for the District.

Outside Professional Services.....not-to-exceed.....\$6,600

**15. PUBLIC COMMENT: Non-Agenda Items**

Fred Smoller, 611 N. Glenrose Drive, Orange, stated that he teaches at Chapman University and that Mr. Rocco has come to the university to visit with him or to get something from him. Mr. Smoller left with the Board secretary the item that Mr. Smoller thinks Mr. Rocco wants (a DVD). He added that in so doing, there will not be any more need for Mr. Rocco to come to the university campus, which is a private campus.

**16. OTHER BUSINESS**

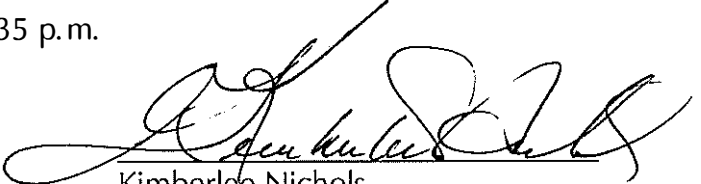
Mrs. Moffat commented that although the state budget is a flat budget, it represents a hardship for the District as our costs do not remain flat. She expressed appreciation to the administrators who had the foresight to be able predict somewhat what the District would need so the budget could match it.

Mrs. Moffat congratulated Canyon Hills School for their 85-point increase in their API score, an amazing improvement.

Mr. Ortega asked that staff look into the homework policies to see how it is being implemented across the District. He expressed concern regarding how much homework is given per grade level. Dr. Dreier responded that a report will be provided as to how each of the schools are implementing the homework policy.

**17. ADJOURNMENT**

By call of the chair, the meeting adjourned at 9:35 p.m.



Kimberlee Nichols  
Clerk of the Board