

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

**Thursday • October 30, 2008  
6:00 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 6:05 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 6:06 p.m. to discuss the following items:

A. PUBLIC EMPLOYEE PERFORMANCE EVALUATION

Title: Superintendent

B. PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE

C. PUBLIC EMPLOYEE APPOINTMENT

1. Elementary School Principal (three positions)

2. Coordinator, ROP

D. 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

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

Mr. Poutsma called the meeting to order at 7:32 p.m.

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Board Members Present: Ledesma, Moffat, Nichols, Ortega, Poutsma, Rocco, Smith  
Board Member(s) Absent: n/a

**6. PLEDGE OF ALLEGIANCE**

Mr. Poutsma invited SACBE representative, Mique Rosales, to lead the audience in reciting the Pledge of Allegiance.

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

The Board took action to appoint Kathryn Martin to the position of Elementary School Principal and Dena Davis to the position of Coordinator, Alternative Education/ROP.

**8. ADOPTION OF AGENDA**

**Correction:**

**Item 14.K. Study Trips**

The Orange High School study trip to San Francisco is scheduled for November 9-10, not November 11-12.

**Motion No. 37**

It was moved by Mrs. Nichols, seconded by Mr. Ortega, and carried by a vote of 6-1 (No: Rocco) to adopt the October 30, 2008 agenda with the correction to Item 14.K., as noted above.

**9. ANNOUNCEMENTS AND ACKNOWLEDGMENTS**

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

Dr. Dreier noted that the American flag was not flown at Canyon High School's homecoming game at Kelly Field last Friday. Dr. Dreier acknowledged that this is not acceptable and that an apology was sent to Canyon High's families as well as to the Superintendent of the Tustin Unified School District.

Dr. Dreier commented on the Jordan Elementary School renovation ceremony that was held on October 21<sup>st</sup>. She extended an invitation to everyone to attend the Portola Middle School renovation ceremony scheduled for November 6<sup>th</sup>.

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

None

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

**Outstanding Customer Service Incentive Program**

The Board of Education recognized Linda McCausland, Library Media Technician at Linda Vista Elementary School, as the recipient of the Outstanding Customer Service Award for the month of October. Mr. Poutsma presented Mrs. McCausland with a Certificate of Recognition.

**Item 9.D. State of the School Report – Mique Rosales, Orange High School**

Mique Rosales, SACBE Representative from Orange High School, presented her state of the school report.

**10. APPROVAL OF MINUTES**

October 16, 2008 (Regular Meeting)

**Motion No. 38**

It was moved by Mrs. Smith, seconded Mrs. Nichols, and carried by a vote of 5-1-1 (No: Rocco; Abstain: Poutsma) to approve the minutes of the October 16, 2008 meeting.

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

No speakers

**12. ACTION ITEMS**

**Item 12.A. Report on the District's Modernization Projects and 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, Resolution No 17-08-09**

Information was presented giving an update on the progress of modernization projects throughout the District and the financing plan to continue the modernization program. The financing plan involves issuing OUSD 2008 Certificates of Participation (COP) to refinance approximately \$53 million of current COP debt from prior projects and issuing an additional \$42 million for the acquisition, construction, installation, and improvement of certain school facilities. 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 fiscal impact will be approximately \$42 million for school facilities projects.

**Motion No. 39**

It was moved by Mrs. Moffat, seconded by Mrs. Nichols, and carried by a vote of 6-1 (No: Rocco) to receive the facilities modernization report and approve Resolution No. 17-08-09: 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. (See attached resolution.)

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The Board of Education regular meeting adjourned at 9:00 p.m. to hold a meeting of the Orange Schools Financing Corporation.

## **ORANGE SCHOOLS FINANCING CORPORATION – PUBLIC MEETING**

### **1. CALL MEETING TO ORDER**

Board President Poutsma called the meeting to order at 9:01 p.m.

### **2. ESTABLISH QUORUM**

Board Members Present: Ledesma, Moffat, Nichols, Ortega, Poutsma, Rocco, Smith

Board Member(s) Absent: none

### **3. ADOPTION OF AGENDA**

#### **Motion No. 1**

It was moved by Mrs. Nichols, seconded by Mr. Ortega, and carried by a vote of 6-1 (No: Rocco) to adopt the October 30, 2008, Orange Schools Financing Corporation agenda.

### **4. PUBLIC COMMENT**

No speakers

### **5. ACTION ITEMS**

#### **A. Resolution No. 01-08 of the Board of Directors of the Orange Schools Financing Corporation Approving Amendment of Bylaws**

The Orange Schools Financing Corporation adopted Bylaws and Section 2 designates officers of the Corporation by reference to officers of the Orange Unified School District. The title of certain officers have changed and it is necessary to amend Section 2 to reflect the current titles of positions of the Officers of the District and to allow flexibility should titles or positions change in the future.

#### **Motion No. 2**

It was moved by Mr. Ortega, seconded by Mrs. Smith and carried by a vote of 6-1 (No: Rocco) for the Board of Directors of the Orange Schools Financing Corporation approved Resolution No. 01-08 approving Amendment of Bylaws.

#### **B. Resolution No. 02-08 of the Board of Directors of Orange Schools Financing Corporation Approving the Form of an Authorizing the Execution and Delivery of a Ground Lease, a Lease Agreement, an Assignment Agreement, and a Trust Agreement Relating to a Lease Financing and Approving Certain Actions Therewith**

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The 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. The Orange Schools Financing Corporation and the District will enter into a Lease Agreement to facilitate this financing. 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. This financing will provide approximately \$42 million for school facilities.

**Motion No. 3**

It was moved by Mr. Ortega, seconded by Mrs. Smith and carried by a vote of 6-1 (No: Rocco) for the Board of Directors of the Orange Schools Financing Corporation to approve Resolution No. 02-08 approving the form of and authorizing the execution and delivery of a Ground Lease, a Lease Agreement, an Assignment Agreement, and a Trust Agreement relating to a Lease Financing and approving certain actions therewith.

**6. ADJOURNMENT**

By call of the chair, the meeting of the Orange Schools Financing Corporation adjourned at 9:05 p.m.

The regular meeting of the Board of Education reconvened at 9:06 p.m.

**13. INFORMATION/DISCUSSION ITEMS**

**Item 13.A. Discussion of District Homework Policy (BP 6154)**

Information was presented regarding the District's homework policy. Rachele Morga, Executive Director for Elementary Education, presented findings and the current status of the homework policy at the elementary schools. Christie Reider, Executive Director of Secondary Education, continued with the findings, including the status, at the secondary schools. The information presented included the implementation of the homework policy and associated administrative regulations.

***Mr. Poutsma left the meeting at 9:15 p.m.***

**Discussion**

Mr. Ortega expressed his appreciation to staff for their time in presenting the homework information. Mr. Ortega commented on his concerns regarding the level of assigned homework being grade level appropriate and whether too many subjects are assigned for one night and not enough on the other nights. He is looking for balancing quality, quantity and consistency across the District.

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Mrs. Morga responded that often the school site council addresses the issues Mr. Ortega referenced. Mrs. Brown also noted that this was a timely reminder that the District has to be consistent; there is a Board policy that needs to be implemented. Mrs. Brown added that the school principals need to understand that the homework impacts the family lives of their students. Staff will continue to work with the principals and teachers to ensure that there is continuity across the District. An update on the implementation of the homework policy will be presented at a future meeting.

## **CONSENT ITEMS**

### **Pulled Item(s)**

#### **Item 14.M. Expulsion of Student: Case No. 08-09-04**

Pulled by Mrs. Moffat

#### **Motion No. 40**

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.M., as noted above.

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

The Board approved the Purchase Order List dated October 6, through October 19, 2008 in the amount of \$1,910,476.26. See attached Purchase Orders Lists.

#### **Item 14.B. Warrants List**

The Board accepted the Warrants List dated October 6, through October 19, 2008 in the amount of \$3,005,832.25. See attached Warrants Lists.

#### **Item 14.C. Gifts**

The following gift(s) were donated to District for use as indicated. A letter of appreciation will be forwarded to the benefactor.

- 80 student desks, 5 teacher desks, 1 file cabinet, 1 computer table, 2 carts, 3 ELMO overhead projectors; 4 room/area dividers to be used at Orange High School, donated by Rancho Santiago Community College District

#### **Item 14.D. Liability Claim No. 08/09-0004**

The Board rejected Liability Claim No. 08/09-0004.

#### **Item 14.E. Contract Services Report – Administrative Services**

The following contract services were approved as listed:

### **MGPA ARCHITECTURE**

On May 28, 2008, the Board awarded MGPA the modernization design contract for Lampson

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ES. To provide interim housing classrooms and remove old portables from the campus, the District requires general architectural services to design a new two-story 12-classroom building on the campus. MGPA has the experience and available personnel necessary to provide the plans, specifications and approvals required by the Division of the State Architect (DSA).  
Special Reserve/Capital Projects..... not to exceed.....\$323,000

**NTD ARCHITECTURE**

On July 24, 2008, the Board awarded NTD the modernization design contract for Fairhaven ES. To provide interim housing classrooms and remove old portables from the campus, the District requires general architectural services to design a new one-story 10-classroom building on the campus. NTD has the experience and available personnel necessary to provide the plans, specifications and approvals required by the Division of the State Architect (DSA).  
Special Reserve/Capital Projects.... not to exceed.....\$295,000

**T & Y CONSTRUCTION, INC**

The District awarded Bids FC 6007 Modernization – Esplanade ES, FC 6010 – Modernization – Jordan ES and FC6013 – Modernization – Portola MS to T & Y Construction, Inc., on December 14, 2006. The District is required to release all contractually obligated funds held by the District subsequent to beneficial occupancy with the exception of funds held for specific deficiencies, which may be held at 150% of the estimated value. The District held \$297,000 of the contract funds through deductive change orders pending completion and/or repair of specific modernization issues. Due to performance by the contractor and negotiations, the District is releasing \$222,500 of the money held. The difference, \$74,500, will be forfeited by the contractor and all warranty/guarantee claims will remain the obligation of T & Y Construction. These Change Orders will increase the contract amounts to accurately reflect the funds earned by the contractor and fall within the allowable maximum per the Public Contract Code. The construction contracts for Esplanade ES, Jordan ES and Phases I & II of the Portola MS are completed and no additional funds, other than those held, are required to satisfy these change orders.  
Special Reserve/Capital Projects.....\$222,500

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

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

**BID 589 - Remove & Replace Parking Lots & Playgrounds**

Project(s):	Cerro Villa Middle School
Board Approval:	May 22, 2008
Original Purchase Order:	900843, 901160
Completion Date:	September 30, 2008
Contractor:	Terra Pave, Inc.
Original Project Amount:	\$152,655.15
Change Order(s) Amount:	\$ -0-

Total Project Amount: \$152,655.15  
Fund(s): Deferred Maintenance (14)

**BID 589 - Remove & Replace Parking Lots & Playgrounds**

Project(s): Chapman Hills Elementary School  
Board Approval: May 22, 2008  
Original Purchase Order: 900509, 901162  
Completion Date: September 30, 2008  
Contractor: Terra Pave, Inc.  
Original Project Amount: \$362,481.70  
Change Order(s) Amount: \$ -0-  
Total Project Amount: \$362,481.70  
Fund(s): Deferred Maintenance (14)

**BID 589 - Remove & Replace Parking Lots & Playgrounds**

Project(s): Crescent Intermediate School  
Board Approval: May 22, 2008  
Original Purchase Order: 806855  
Completion Date: October 6, 2008  
Contractor: Terra Pave, Inc.  
Original Project Amount: \$242,740.70  
Change Order(s) Amount: \$ -0-  
Total Project Amount: \$242,740.70  
Fund(s): Deferred Maintenance (14)

**BID 589 - Remove & Replace Parking Lots & Playgrounds**

Project(s): Esplanade Elementary School  
Board Approval: May 22, 2008  
Original Purchase Order: 900231  
Completion Date: October 6, 2008  
Contractor: Terra Pave, Inc.  
Original Project Amount: \$201,434.25  
Change Order(s) Amount: \$ -0-  
Total Project Amount: \$201,434.25  
Fund(s): Deferred Maintenance (14)

**BID 589 - Remove & Replace Parking Lots & Playgrounds**

Project(s): Jordan Elementary School  
Board Approval: May 22, 2008  
Original Purchase Order: 900838, 901161  
Completion Date: September 30, 2008  
Contractor: Terra Pave, Inc.  
Original Project Amount: \$186,765.72



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Change Order(s) Amount:	\$ -0-
Total Project Amount:	\$186,765.72
Fund(s):	Deferred Maintenance (14)

**BID 589 - Remove & Replace Parking Lots & Playgrounds**

Project(s):	Riverdale Elementary School
Board Approval:	May 22, 2008
Original Purchase Order:	806925
Completion Date:	September 30, 2008
Contractor:	Terra Pave, Inc.
Original Project Amount:	\$260,287.30
Change Order(s) Amount:	\$ -0-
Total Project Amount:	\$260,287.30
Fund(s):	Deferred Maintenance (14)

**Item 14.G. First Quarter Report of Uniform Complaints for the Williams and Valenzuela Case Settlements**

No Uniform Complaints for any area have been reported during the first quarter for the Williams and Valenzuela Case Settlements.

**Item 14.H Personnel Report**

The Board approved the attached Personnel Report.

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

The Board approved the attached student teaching assignment lists.

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

The following contract services were approved as listed:

**INTERNATIONAL CENTER FOR LEADERSHIP IN EDUCATION**

The International Center for Leadership in Education will provide a staff development workshop for the staff at Orange High School on November 4, 2008. This workshop will focus on the Rigor, and Relevance framework, identifying behaviors, activities and school structures that contribute to personalizing rigor and relevance that supporting learning. Action steps will be developed unique to Orange High to develop a culture of rigor and relevance and relationships. Staff Development Services . . . . . not-to-exceed . . . . . \$4,500

**TITLE VII NATIVE AMERICAN PROGRAM HERITAGE CELEBRATION**

The Title VII Native American Program will recognize Native American Heritage Month on November 6, 2008. This celebration will be held in the Learning Center at Nohl Canyon Elementary School. The program will include Native American speakers, dancers, storytellers and singers and will provide a Native American educational experience and cultural exchange. Title VII (Native American) . . . . . not-to-exceed . . . . . \$2,000

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**RONALD BLOOM - LIFESCAPE PROFESSIONAL GROUP**

Ronald Bloom, Lifescape Professional Group, will conduct a series of six workshops for parents of English Learner students at Portola Middle School November 3, through December 15, 2008. These workshops will be conducted in Spanish and English and will include printed instructional materials. Topics will include "The Active Parent," "Courage and Self-Esteem," and "Teen Behavior and Problem Solving."

Title I, Part A . . . . . not-to-exceed . . . . . \$2,500

**Item 14.N. Study Trips**

The Board approved the following study trips:

Orange High School-Graphics & Design Class- San Francisco, California - November 9-10, 2008

Orange High School Graphics & Design class under the direction of Edward Hansbury, will travel to San Francisco to participate in the 2009 *GOT MILK?* campaign. Orange High was chosen as one of three schools to attend and the only school from Southern California. The students will gain a deeper understanding of their core classes, specifically English, and will learn the importance of language and communication and the clear expression of ideas. They will develop practical skills that will carry into their professional and academic careers. Students will develop a portfolio of work that will gain admission into many of the top art and design schools in the country, as well as possible scholarship funding. Three male and two female students will be accompanied by one female and one male chaperone. The advertising agency of Goodby, Silverstein & Partners, best known for the *GOT MILK?* campaign, will pay and provide ground transportation with an approved OUSD permit prior to this trip, airfare, hotel, and vehicle rental in San Francisco. The agency will also budget \$600 for out of pocket expenses such as meals, parking, and incidentals. There will be no cost per student. Students will miss one day of school and a substitute will be required.

Villa Park High School - Junior Statesmen of America - Irvine, California - November 15-16, 2008

The Villa Park High School Junior Statesmen of America (JSA) under the direction of teacher Paul Hunt, will travel to Irvine to participate in the annual Fall State 2008 Conference. Students will witness the Electoral College in action during statewide election of JSA cabinet as well as participate in debates on topics relevant to current events and government policies. The conference offers up close examination of the 2008 presidential election process. Thirteen students (7 male and 6 female) will be accompanied by one male and one female chaperone and will stay at the Irvine Marriott. Parents will provide the transportation for the students to the hotel. The cost per student is \$105 and scholarships are available. Students will not miss any school days and no substitute will be required.

**Item 14.L. 2008-2012 Local Plan for Career Technical Education**

The Board approved the submission of the 2008-2012 Local Plan for Career Technical Education. Federal regulations require that each local agency accepting Perkins funds develop a Career Technical Education (CTE) Plan outlining the District's plans to improve the size, scope,

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quality and delivery of its CTE program. This plan calls for the continued development of career pathways to benefit all students. The plan outlines the following three major areas for improvement:

1. Development of rigorous coursework at the concentrator level for a variety of career pathways.
2. Recruitment, training and retention of highly qualified CTE teachers.
3. Enhancement of the articulation of the District CTE program with that of local community colleges and universities.

The Perkins allocation for the District is approximately \$200,000 per year. The submission of the five-year plan is required to receive funding.

**Item 14.M. Expulsion of Student: Case No. 08-09-04**

This item was pulled for discussion and separate action. See *Motion No. 41*.

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

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

**DR. NORAH GUTRECHT**

Dr. Gutrecht will provide consultation and documentation of District students receiving occupational therapy. State law requires a consulting physician in order to bill for the services we provide. This will be funded from generated revenue. No impact to general fund.

Special Education . . . . . not-to-exceed . . . . . \$750

**SPECIAL EDUCATION STUDENT #209887**

As the result of an Individualized Education Program (IEP) Addendum, the District will reimburse the parents of a special education student for transportation to school at the rate of \$2.25/day, beginning October 6, 2008, through the end of the school year. Parent will submit monthly mileage logs.

Special Education . . . . . not-to-exceed . . . . . \$375

**WRITE START PEDIATRICS**

Additional services of Write Start Pediatrics are required for occupational/physical therapy assessments during the 2008/2009 school year.

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

**CORE MEDICAL GROUP**

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

Special Education . . . . . not-to-exceed . . . . . \$80,000

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**Item 14.O. Memorandum of Understanding between the Newport Mesa Unified and Orange Unified School Districts for 2008-09**

The Board authorized the District to enter into the Memorandum of Understanding between Newport Mesa and the Orange Unified School Districts. Newport Mesa will provide educational services to individual deaf and hard of hearing pupils in the Orange Unified School District.

**PULLED ITEMS**

The following item was pulled by Mrs. Moffat for discussion and separate action.

**Item 14.M. Expulsion of Student: Case No. 08-09-04**

Mrs. Moffat pulled this item because she felt the report in support of this expulsion was "very sketchy" and lacked critical information to give adequate consideration.

Mrs. Nichols noted that when the Board is dealing with expulsions of students, there is a defined timeframe with which action is needed. However, it is important to address items of this nature as timely as possible. Dr. Dreier assured the Board that staff will be mindful of presenting such items in a timely manner.

**Motion No. 41**

It was moved by Mr. Ortega, seconded by Mrs. Nichols and carried by a vote of 4-2-1 (No: Moffat, Rocco; Absent: Poutsma) to uphold the recommendation of administrative staff.

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

Fred Smoller, paid tribute to the modernization projects taking place at the various school sites. He also alerted the Board on the airing of a civic/history program regarding voting for candidates which will be airing on KOCE on October 31<sup>st</sup>, 11:30 p.m. It is a cautionary tale about the importance of informed participation in local elections and involves the District. Copies will be available through KOCE.

**16. OTHER BUSINESS**

**17. ADJOURNMENT**

By call of the chair, the meeting adjourned at 9:40 p.m.

  
Kimberlee Nichols  
Clerk of the Board