

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

**Thursday • February 26, 2009
6:30 P.M. • Closed Session
7:00 P.M. • Regular Session**

MINUTES

1. CALL MEETING TO ORDER

Board President Ledesma called the meeting to order at 6:34 p.m.

2. ESTABLISH QUORUM

A quorum was established.

Board Members Present: Deligianni, Ledesma, Moffat, Nichols, Ortega, Smith, Wayland

Board Members Absent: None

3. PUBLIC COMMENT ON CLOSED SESSION AGENDA ITEMS

None

4. ADJOURN TO CLOSED SESSION

The meeting adjourned to closed session at 6:35 p.m. to discuss the following items:

- A. PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE
- B. CONFERENCE WITH LABOR NEGOTIATORS

5. CALL TO ORDER – REGULAR SESSION

Mr. Ledesma called the meeting to order at 7:25 p.m.

6. PLEDGE OF ALLEGIANCE

Mr. Ledesma invited the audience to join him in reciting the Pledge of Allegiance.

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

The Board of Education authorized the Superintendent or designee to give notice of non-re-election to two probationary certificated employees for the next succeeding school year.

8. ADOPTION OF AGENDA

Motion No. 72

It was moved by Dr. Deligianni, seconded by Mr. Ortega, and carried by a vote of 7-0 to adopt

the February 26, 2009 agenda.

9. ANNOUNCEMENTS AND ACKNOWLEDGMENTS

Item 9.A. Superintendent's Report

No Report

Item 9.B. Board President's Report

Mr. Ledesma commented that we have a budget at the state level. He noted that since last week the business department has been working with this number as this is the number that is going to impact our budget. Discussions will continue through to the March 12.

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

No comments

Item 9.D. Proclamation Declaring the Week of March 2-6, 2009 at the "Week of the School Administrator"

The Board adopted a proclamation honoring Orange Unified School District administrators for their leadership of the educational process to insure successful student achievement, citing the first week of March as "Week of the School Administrator." Mr. Ledesma presented the proclamation to Randi Leach, chairperson of Leadership Team Orange, who accepted the proclamation on behalf of all District school administrators.

10. APPROVAL OF MINUTES

February 5, 2009 (work/study session)

Motion No. 73

It was moved by Mr. Ortega, seconded by Mr. Wayland and carried by a vote of 7-0 to approve the minutes of the February 5, 2009 work/study session.

11. PUBLIC COMMENT: Non-Agenda Items

None

12. ACTION ITEMS

Item 12.A. Public Hearing: Special Education Local Area Plan – 2008-09 Annual Service and Budget Plan

The California State Department of Education requires each Special Education Local Plan Area (SELPA) to submit their Annual Service and Budget Plan to the Board of Education for approval and adoption. A public hearing enables the Orange Unified SELPA to comply.

Public Hearing

Mr. Ledesma closed the regular meeting of the Board of Education and opened the public hearing at 7:35 p.m.

Speakers

No speakers

Mr. Ledesma closed the public hearing and reopened the regular Board of Education meeting at 7:38 p.m.

Motion No. 74

It was moved by Mr. Ortega, seconded by Mr. Wayland, and carried by a vote of 7-0 to approve and adopt the 2008-09 Annual Service and Budget Plan (attached).

Item 12.B. Modified T-Track Student Calendar 1009-10

Presented to the Board of Education, as part of a comprehensive District-wide cost saving process, is the attached conceptual "modified" traditional track student calendar which is proposed for both the traditional and single-track schedules for the 2009-10 school year. The conceptual "modified" traditional track student calendar is intended to illustrate the recommended student starting and ending dates, as well as all student vacation dates, for all District schools for the 2009-10 school year. Mr. Kisse presented a report (attached).

Speakers

Carol LaBounty, spoke in opposition to the proposed modified student calendar.

Motion No. 75

It was moved by Mrs. Smith, seconded by Mr. Ortega, and carried by a vote of 7-0 to approve the student starting and ending dates, as well as all student vacation dates, for the attached conceptual "modified" traditional track student calendar for the 2009-10 school year.

Item 12.C. Resolution No. 30-08-09: Layoff of Certificated Employees Due to a Reduction or Discontinuance of Particular Kinds of Services

The California Education Code permits the layoff of certificated employees serving in programs that are being discontinued or reduced at the conclusion of the school year. The Education Code also authorizes the reassignment of such employees into programs that are not being reduced or discontinued, subject to certain requirements, including the employee's seniority and credential authorization. Board authorization of this resolution is required in order to layoff certificated employees whose programs are being discontinued or reduced after the 2008-09 school year.

Speakers

The following individuals spoke in support of keeping the District's elementary music program, asking that the Board of Education not eliminate it:

1. James Lin
2. Alexis Bartolon
3. Leonard Hernandez
4. Scott Fitzpatrick
5. David Browne
6. Angel LaMarca
7. Sandy Streeter
8. Omar Rivera
9. Brian Cannady
10. Irvin Rueda
11. Lori Nelson
12. Daniel Schroeder
13. Mara Walton
14. Cheyne Parkinson
15. Tammy Parkinson
16. Nicholas Trank
17. Jacob Stupin
18. Cierra Parkinson
19. Salha Zeidan
20. Stephanie Moore
21. Troy Botello

Board Discussion

It was noted that the District just received notification of the state budget and is, therefore, just beginning the process of trying to address the \$40 million shortfall. All options must be presented in looking at that process before making final decisions. At this point in time, this (board item/resolution) is a formality in many respects; it is not a cutting of any program. Once the state budget is finalized, items will be prioritized. The Board must be ready to absorb a worse-case scenario. It is the Board's fiduciary responsibility to the entire District to at least prudently prepare and work collaboratively. This resolution allows the Board to be able to think creatively about how they will meet this particular budget crisis.

Dr. Dreier reiterated that there is no final decision to be made for this item tonight. She emphasized the seriousness of the fiscal crisis noting that 250 of the District's temporary teachers have already received layoff notices. It is the March 15 notice deadline that creates a situation that requires this action.

Mrs. Smith noted that to not pass this resolution could contribute to the District not getting the right qualification from the county and the state when we do the Second Interim Report, which would qualify us to move toward insolvency and receivership. The action taken tonight is not indicative of what the District will have to do in the next few months.

Motion No. 76

It was moved by Mrs. Nichols, seconded by Mrs. Smith, and carried by a vote of 5-1-1 (No: Deligianni; Abstain: Wayland) to adopt the proposed resolution (attached).

By call of the Chair, the Board meeting recessed at 9:00 p.m.

The meeting reconvened at 9:16 p.m.

Item 12.D. Legislative Coalition – 2009 Platform

At the February 12th meeting, Denise Bittel, Platform Chair of the Legislative Coalition, presented to the Board of Education the proposed 2009 Legislative Platform. The Board suggested including language regarding the budget crisis as well as clarification to some of the items in the Platform. The revised 2009 Legislative Platform will be presented for a second reading. Upon approval, the platform will be submitted to the legislature in Sacramento.

Motion No. 77

It was moved by Mrs. Nichols, seconded by Mrs. Moffat, and carried by a vote of 7-0 to approve the proposed 2009 Legislative Coalition Platform (attached) for a second and final reading.

Item 12.E. California School Boards Association – 2009 Delegate Assembly Election

California School Boards Association, Region 15 (Orange County), is holding elections for the 2009 Delegate Assembly. The Board as a whole votes, submits one ballot and may vote for up to the number of vacancies in the region.

Motion No. 78

It was moved by Mrs. Nichols, seconded by Mrs. Moffat and carried by a vote of 6-1 (No: Ledesma) to nominate all listed nominees to the 2009 CSBA Region 15 Delegate Assembly:

- Bonnie Castrey Huntington Beach Union HSD*
 - Michael Collier..... Newport-Mesa USD
 - Judy Edwards..... Fountain Valley SD*
 - Karen Freeman.....Placentia-Yorba Linda USD*
 - Matthew Harper..... Huntington Beach Union HSD*
 - Celia JaffeeHuntington Beach City SD*
 - Sue Kuwabara Irvine USD*
 - Jose Moreno..... Anaheim City SD*
 - Andrew NguyenWestminster SD
 - Robert Singer Fullerton Joint Union HSD*
 - Elizabeth Swift.....Buena Park ESD*
- * *Incumbent*

13. INFORMATION/DISCUSSION ITEMS

Item 13.A. Budget Update

Mr. Christensen presented a power point presentation (attached) which outlined all the other potential cuts the District is considering.

Speakers

Jenny Treanor – PTA President at Panorama Elementary, spoke on behalf of Panorama Elementary School in support of the District and “respectfully requested” that Panorama remain the state-identified 10-10 school. Mrs. Treanor stated that Panorama is unified with the District and will not participate in anything that may cause division.

Jennifer Razook – spoke in opposition to school consolidations and the closure of Imperial Elementary School. Mrs. Razook read a letter from another parent who could not be at the meeting. The letter was in regards to keeping Imperial open.

The following individuals spoke in support of Silverado Elementary School and a plan for a science education campus:

1. Andrew Tonkovich
2. Michelle Quinn
3. Shawna Brady-Hart
4. Joel Robinson
5. Carole Miller
6. Aimee Bryer
7. Chay Peterson
8. Heather Coulter

Marianne Mann, OUSD teacher, addressed the topic of more equally balancing monies for students. She suggested the elimination of GATE magnet schools. She noted that all K-6 OUSD teachers have had countless hours of training and staff development dealing with meeting the needs of all students. She added that the District gives more classroom money to GATE students who represent a smaller portion of the overall student population.

Paul Beehler spoke on the benefits of class size reduction. He remarked on research studies he had read that suggested that a 20:1 ratio in the K-3 classroom is critical.

Marjan Dunn spoke in support of the GATE program. She noted that the “GATE program is what is going to make the future leaders of our country, our state, our school district come forward.” She added that it is a wonderful program and to cut this program is “ridiculous.” Mrs. Dunn urged the Board to keep the integrity of the GATE program intact and retain the magnet schools.

CONSENT ITEMS

Motion No. 79

It was moved by Mr. Ortega, seconded by Mr. Wayland, and carried by a vote of 7-0 to approve the consent items.

Item 14.A. Contract Services Report – Business Services

The following contract service items for Business Services were approved.

NIGRO NIGRO & WHITE

The State Controller requires that school districts receive independent audits of financial records and procedures on an annual basis in order to verify federal and state compliance. The independent audit is designed to encourage sound fiscal practices, to promote efficient and effective use of public funds and to determine the integrity of the financial accounting and reporting systems. This authorization will be for the second year of a three-year contract under the previously completed Audit Services Request for Proposals.

General Fund.....not-to-exceed.....\$59,650

BICKMORE RISK SERVICES

The District reactivated the self-funded workers' compensation program July 1, 2003. An annual evaluation of incurred claims and incurred but not reported claims is needed to evaluate and project, actuarially, the funding for the future. The report is also utilized by the underwriters to accurately price the excess workers' compensation coverage. Approval of this item will authorize staff to contract with Bickmore to perform the workers' compensation actuarial study.

Self-Insurance Fund.....not-to-exceed.....\$4,500

Item 14.B. Purchase Orders List

The Board approved the Purchase Order List dated February 2, through February 26, 2009 in the amount of \$1,117,096.38. See attached Purchase Orders Lists.

Item 14.C. Warrants List

The Board accepted the Warrants List dated February 2, through February 11, 2009 in the amount of \$4,569,284.05. See attached Warrants Lists.

Item 14.D. Gifts

The attached list of cash donations and following items were donated to District for use as indicated. A letter of appreciation will be forwarded to the benefactor.

- 100 padded chairs (like new) to be used in the cafetorium for drama productions at El Modena High School, donated by the Beacon Church

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

The Board declared the items listed and described as surplus and approved entering into appropriate contracts with the General Auction Company and other firms and organizations as needed for the sale or disposition of District surplus items.

Item 14.F. Contract Services Report – Administrative Services

The following contract service items for Administrative Services were approved.

MEADOWS CONSTRUCTION SERVICES, INC.

The District awarded Bid No. FC6017 – Modernization and Abatement – Sycamore Elementary School to Meadows Construction Services, Inc., on May 22, 2008. Change Orders 1, 2 & 3 increase the value of the contract but do not add any additional time. 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.....\$158,258

MP SOUTH

The District awarded Bid No. 602 – to MP South to construct a Multi Purpose Room/Lunch Service Building at Anaheim Hills Elementary School, on September 11, 2008. Change Order No. 1 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 Fund.....\$10,100

SMITH EMERY

The District requires material testing services for modernization projects. On June 19, 2008 the Board approved Smith-Emery Laboratories to provide the services for the Sycamore Elementary School Modernization Project. The final phase of the project includes substantial work to increase the parking lot and bus drop-off. All fees are based on an hourly basis and include laboratory testing, as needed.

Special Reserve/Capital Projects...not to exceed.....\$18,000

WESTMARK PRODUCTS, INC.

The District awarded Bid No. FC6018 – Wood and Plastic Covered Casework – Sycamore Elementary School to Westmark Products, Inc., on June 19, 2008. Change Order 1 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.....\$9,100

NYBERG ARCHITECTURE

The District requires the services of a qualified architect to prepare architectural and various utility drawings, plus obtain DSA approval for the proposed temporary portable classrooms and

buildings for the Yorba Middle School Modernization Project. Nyberg Architects has the experience and qualifications to perform this project.
Capital Facilities Fund.....not to exceed.....\$74,500

Item 14.G. Resolution No. 31-08-09: Approval to Utilize a Price Agreement between Wilsona School District and Class Leasing for the Purchase or Lease of DOH/DSA Relocatable Buildings

The Board approved Resolution 31-08-09, awarding a contract to Class Leasing, Inc.

Item 14.H. Personnel Report

The Board approved the attached Personnel Report.

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

The Board approved the variable term waiver as presented.

Item 14.J. Contract Services Report – Educational Services

The following contract services were approved as listed:

PARENT INSTITUTE FOR QUALITY EDUCATION

Change Order: Original approval on September 25, 2008, in the amount of \$4,500. At this time, it is necessary to increase the funding amount due to overwhelming parent interest and involvement. The Parent Institute for Quality Education provided parent training for the parents of students enrolled at Yorba Middle School on October 16, through December 18, 2008. Eight trainings were held, with a total of 135 parent participants. The trainings are designed to develop skills and techniques which enable parents to address the educational needs of their school-aged children. Parents had to complete six out of eight trainings in order to graduate. A total of 98 parents completed the course. The cost for the training is \$75 per parent graduate.
Title III not-to-exceed \$2,850

Item 14.K. Study Trips

The Board approved the following study trips:

Canyon High School - Boys and Girls Swim Teams - Fresno, CA - March 20 - 21, 2009

Canyon's Boys and Girls Swim Teams under the direction of coaches, Steve Anderson and Erik Davidson, will travel to Fresno to compete in the Fresno Central Section Swim Meet. Students will have the opportunity to compete against teams from Central and Northern California to experience the level of competition. Twenty-eight male and thirty-two female students will be accompanied by four male and four female adult chaperones and will stay at the Holiday Inn Express Hotel and Suites, Fresno. Transportation will be provided by OUSD. Total cost per student is \$75 and scholarships are available. Students will miss one day of school. No substitute will be required.

Fletcher Elementary- 6th Grade Outdoor Science School -Creekside - March 16-20, 2009

The 6th grade students from Fletcher 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. Students will gain knowledge of select biological and earth science concepts and develop an awareness and appreciation of the environment and their responsibility to affect its quality. Students will experience cooperation through group living. Students attending the program 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.

Item 14.L. Textbook Adoptions – 30-Day Review by Public

The Board placed the attached list of textbooks on display for the 30-day review period to be considered for adoption at the April 16th Board meeting.

Item 14.M. Expulsion of Student: Case No. 08-09-12

The Board upheld the recommendation of administrative staff.

Item 14.N. Contract Services Report – Pupil Services

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

WRITE START PEDIATRICS

The services of Write Start Pediatrics are required for physical therapy assessments for the Pupil Services department during the 2008/2009 school year.

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

SAN JOAQUIN COUNTY OFFICE OF EDUCATION

The San Joaquin County Office of Education is requiring districts to subscribe to the Standardized Testing and Recording (STAR) report as a component of the Special Education Information System (SEIS). The district's portion for the 2008/2009 school year is based on our special education student count.

Special Education not-to-exceed \$682

Item 14.O. Resolution No. 29-08-09: Signature Authorization Update

The Board adopted Resolution No. 29-08-09 granting signature authorization for specific District administrative/leadership employees as indicated on the attached document.

15. PUBLIC COMMENT: Non-Agenda Items

No speakers

16. OTHER BUSINESS

Mrs. Moffat remarked on Teen Driving Safety Week which is March 9-13. She noted that teen driving safety materials would be sent to the high schools for distribution. Mr. Ledesma asked that Mrs. Moffat provide an informational report on this topic at a future meeting.

17. ADJOURNMENT

By call of the chair, the meeting adjourned at 10:40 p.m.

A handwritten signature in black ink, appearing to read "Mark Wayland", written over a horizontal line.

Mark Wayland
Clerk of the Board