

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

**Thursday • July 23, 2009
6:00 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 6:05 p.m.

2. ESTABLISH QUORUM

Quorum was established.

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

Board Members Absent: Ortega

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 APPOINTMENT/EMPLOYMENT/DISCIPLINE/RELEASE
- B. PUBLIC EMPLOYEE APPOINTMENT
 - 1. Coordinator, Special Education
 - 2. Principal, Elementary School (3 positions)
 - 3. Assistant Principal, Middle School (2 positions)
 - 4. Assistant Principal, High School
 - 5. Principal, Continuation High School
- C. CONFERENCE WITH LABOR NEGOTIATORS
 - 1. Orange Unified Education Association
 - 2. California School Employees Association
- D. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION
Significant exposure to litigation pursuant to subdivision (b) of section 54956.9
(one potential case)

5. CALL TO ORDER – REGULAR SESSION

Mr. Ledesma called the meeting to order at 7:35 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

Dr. Dreier reported the Board of Education took action to appoint:

- Bree Tippets to the position of coordinator, Special Education
- Helen Chung, Elizabeth Gosnell, and Sandra Miller to the position of Principal, Elementary School
- Joey Erven and Kelli Keller to the position of Assistant Principal, Middle School
- Brenna Godsey to the position of Assistant Principal, High School
- Ed Madrid to the position of Principal, Continuation High School

8. ADOPTION OF AGENDA

Motion No. 1

It was moved by Mrs. Moffat, seconded by Dr. Deligianni, and carried by a vote of 6-1 (Absent: Ortega) to adopt the July 23, 2009 agenda.

9. ANNOUNCEMENTS AND ACKNOWLEDGMENTS

Item 9.A. Superintendent's Report

Dr. Dreier reminded the Board that the budget that was approved in June included a two percent pay cut for all employees. The Payroll Department has been notified to begin the process of the two percent roll-back for all employees on the Leadership salary schedule. This item will be brought forth for approval at the August 20th meeting. Additionally, Dr. Dreier noted that Dr. Deligianni submitted an item to be brought forth at the August meeting to roll back Board compensation to the same level as Leadership.

Item 9.B. Board Presidents Report

Mr. Ledesma recognized and congratulated Dr. Dreier for her nomination to the Suburban Schools Superintendents Association. This is a prestigious nomination because membership is limited to just one hundred acting superintendents nationwide.

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

Mrs. Nichols recognized Pam McDonald, Director of Transportation, and commended her for being nominated as President of California Association of School Transportation Officials (CASTO). This is an honor not only to Mrs. McDonald, but also to the District.

10. APPROVAL OF MINUTES

May 28, 2009 Regular Meeting
June 18, 2009 Regular Meeting

Motion No. 2

It was moved by Mrs. Smith, seconded by Dr. Deligianni, and carried by a vote of 5-1-1 (Absent: Ortega; Abstain: Wayland) to approve the minutes of the May 28, 2009 regular Board meeting.

Motion No. 3

It was moved by Mrs. Nichols, seconded by Mr. Wayland, and carried by a vote of 6-1 (Absent:

Ortega) to approve the minutes of the June 18, 2009 regular Board meeting.

11. PUBLIC COMMENT: Non-Agenda Items

No speakers

12. ACTION ITEMS

Item 12.A. Board Proclamation: AB 837 (Torlakson) School Attendance: Online Education

AB 837 remedies the attendance accounting methodology for students requiring enrollment in a schedule of courses consisting of both seat-based classes and at least one online class. Currently, a student must attend at least one of the scheduled seat-based classes and complete all of the day's required online work; however, if the student does one and not the other, the school does not generate Average Daily Attendance (ADA) for that student. This bill provides that the ADA is generated solely on the basis of the attendance in the regular seat-based program by removing the dual attendance requirement.

Motion No. 4

It was moved by Mrs. Nichols, seconded by Mrs. Smith, and carried by a vote of 6-1 (Absent: Ortega) to support AB 837, in order to add Section 46300.8 to the Education Code, relating to school attendance. See attached proclamation.

Item 12.B. Proposed Board Policy Revisions – 6000 Series, Instruction – First Reading

The following Board Policies were presented for a first reading:

- BP 6115 Ceremonies & Observances
- BP 6141 Curriculum Development & Evaluation
- BP 6142.1 Sexual Health and HIV/Aids Prevention Instruction
- BP 6142.8 Comprehensive Health Education
- ~~BP 6145 Extra Curricular & Co-curricular Activities~~
- BP 6145.5 Student Organizations & Equal Access
- BP 6146.11 Alternative Credits Toward Graduation
- BP 6162.52 High School Exit Examination
- BP 6162.6 Use of Copyrighted Material
- BP 6164.4 Identification & Evaluation of Individuals for Special Education
- BP 6173.1 Education for Foster Youth
- BP 6178 Career Technical Education

The Board members discussed and commented on the Board policies as noted above. Dr. Brown responded to their questions and suggestions.

Motion No. 5

It was moved by Mrs. Nichols, seconded by Dr. Deligianni and carried by a vote of 6-1 (Absent: Ortega) to accept the attached proposed Board Policy revisions for a first reading.

Item 12.C. Approval of the Proposed Three-Year Strategic Plan – 2009-2012

The District's proposed Three-Year Strategic Plan, 2009-12 was presented for approval. At the June 18th Board meeting, the team leaders presented the goal areas of the Plan for a first reading.

By way of background, on April 28, 2009, the District held a Strategic Planning Workshop to chart a course and strategies for the next three years. Participants in this workshop included members of the Board of Education, business leaders, community members, parents, teachers, counselors, classified staff, administrators and students. Six team leaders and the Executive Cabinet have refined the strategies of the six goal areas that were presented and discussed in the group sessions of the Strategic Planning Workshop. The six goal areas are:

- 1) Student Achievement
- 2) Student Engagement
- 3) Safe, Welcoming Schools
- 4) Parent and Community Partnerships
- 5) Communication
- 6) Effective Use of Resources

The team leaders will report throughout the year, at least three times per year, with regard to the progress of the plan. The foundation for the Administrative Conference to be held in August and attended by all Leadership staff is to identify the goal areas and to receive feedback between the leadership team and our schools.

Mr. Wayland left at 8:20 p.m. due to illness.

Speakers

David Sumner, executive board member of the OUEA and teacher at Crescent Elementary School, remarked on the Strategic Plan and pointed out that the goals might not be attainable for certain students.

Motion No. 6

It was moved by Mrs. Smith, seconded by Mrs. Moffat and carried by a vote of 5-2 (Absent: Ortega; Wayland) to approve the Three- Year Strategic Plan – 2009-2012.

13. INFORMATION/DISCUSSION ITEMS

Item 13.A. Report on the Status of the Other Post-Employment Benefit (OPEB) Bond Investment Portfolio

The Board of Education approved the issuance and sale of Taxable Retirement Health Benefits Funding Bonds (OPEB bonds) on April 17, 2008. The amount of bonds sold totaled \$94,765,000 and was comprised of:

\$93,763,635	Actuarially Determined Liability
<u>\$ 1,001,365</u>	Cost of Issuance
\$94,765,000	

Additionally, the District had previously deposited \$2,000,000 in the Futuris Public Entity

Investment Trust bringing the total funds available for investment to \$95,763,635.

The OPEB bonds were marketed as taxable instruments to allow the District to realize positive arbitrage from the investment revenue and appreciation in excess of the interest payments on the bonds. The net income is to be used for retiree health benefit obligations. The fixed income investments are performing as anticipated but the equity investments have greatly underperformed the anticipated portfolio pro forma. The value of the portfolio is recovering in step with the overall stock market.

This report provided an update as to the allocation and performance of the investment portfolio through June 30, 2009. In the District's Estimated Actuals - Retiree Benefit Fund (Fund 71), the value of the portfolio is booked as the cost of the portfolio, not the current market value or "marked to market" valuation. The Fund will reflect the actual market value as of June 30, 2009, in the Unaudited Actuals.

Discussion

Discussion by Board members ensued regarding investments and the fiscal crisis that could not have been predicted. Mrs. Smith noted that the OPEB bond is protecting the District from worse, knowing the liability that the District will continue to incur with the lifetime health benefits.

Mr. Ledesma asked for direction from the Board to look into developing an exit strategy and to investigate safeguards. The concern is cash flow. Mr. Christensen will do some research, look into options that may be available, and get back to the Board.

Mr. Ledesma requested a summary list that quantifies the companies and fees paid, the commissions paid, all the "architects of this deal" – how much money they made or continue to make and any advisors that may have steered the District towards this investment. Mr. Christensen will respond in a Friday letter to this request.

14. CONSENT ITEMS

Pulled Items

Item 14.D. Contract Services Report – Administrative Services - Miller Brown & Dannis
Pulled by Mr. Ledesma

Item 14.G. Resolution No. 02-09-10: Certification of Compliance with all Requirements of American Recovery and Reinvestment (ARRA) for Qualified School Construction Bond Program Funding
Pulled by Mr. Ledesma

Item 14.Q. Migrant Education Region IX – Approval of Service Agreement between San Diego County Office of Education and the District for the 2009-10 School Year
Pulled by Mr. Ledesma

Motion No. 7

It was moved by Dr. Deligianni, seconded by Mrs. Moffat, and carried by a vote of 5-2 (Absent: Ortega; Wayland) to approve the consent items minus Item 14.D, Miller, Brown & Dannis, and Items 14.G and 14.Q.

Item 14.A. Gifts

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

- Pull-down projector screen; large file cabinet; table top podium; storage case; two LCD projectors; and one laserjet cartridge for instructional use in the classrooms, donated by Rancho Santiago Community College District

Item 14.B. Purchase Orders List

The Board approved the Purchase Order List dated June 4 through June 30, 2009, in the amount of \$2,144,478.59, Change Order List dated July 1, 2008, through June 3, 2009, in the amount of \$1,882,113.81, and the Purchase Order List dated July 1 through July 12, 2009, in the amount of \$7,355,511.80. See attached Purchase Orders Lists.

Item 14.C. Warrants List

The Board accepted the Warrants List dated June 8 through June 30, 2009 in the amount of \$3,846,856.45 and the Warrants List dated July 1 through July 12, 2009 in the amount of \$6,995,110.64. See attached Warrants Lists.

Item 14.D. Contract Services Report – Administrative Services

The following contract service items for Administrative Services were approved.

CLASS LEASING INC.

A portable restroom building was installed at Lampson Elementary School when the school was taken off the multi-track year-round calendar. The building provides additional staff and student facilities in the portable village and was required by the Division of the State Architect (DSA). The original agreement with Class Leasing is expiring and must be renewed. On February 26, 2009, the Board of Education approved Resolution 31-08-09, approving the utilization of a piggybackable pricing agreement between Wilsona School District and Class Leasing. This approval will allow the District to renew the lease of the restroom building for up to three additional years at \$10,000 per year with a \$3,500 dismantle fee at the end. At the termination of the lease, the building will be returned to the company.

Capital Facilities Fund... not to exceed. \$33,500

DOLINKA GROUP

The Education Code requires that the District provide reports to the public on the collection of Reportable Fees (developer fees). The reports must include information and findings related to the fees received and expended or projected to be expended, in connection with school facilities to

accommodate students from new development if funded or partially funded with the fees. The Dolinka Group prepares the school fee justification studies for the District and has the knowledge and availability to prepare these reports.

Capital Facilities Fundnot to exceed.....\$15,000

E2 ENVIRONMENTAL

Federal Regulations enforced by the Regional Water Quality Control Board, Santa Ana Region (RWQCB) requires management of a District storm water pollution prevention plan, (SWPPP) during construction projects, that impacts land disturbance, potential run-off and pollution. Yorba Middle School Modernization requires the services of an SWPPP consultant to manage the project site and ensure full compliance with the SWPPP. The District solicited proposals from eight firms that provide SWPPP Management Services. E2 Environmental has the experience and qualifications to perform this project. Fees are based on an hourly basis with testing as needed.

Special Reserve/Capital Projects.....\$15,750

LIGHTSPEED SYSTEMS

The District requires an Internet security system that can provide filtering, spam blocking and management for network traffic monitoring. Lightspeed Systems' Total Traffic Control software will provide these services and strengthen the District's current Internet security.

Information Services.....\$14,400

MARK J. PAONE, AIA

The District retained the services of Paone Architecture to design a new fire alarm system at Canyon High School. The Contractor elected to use a different manufacturer that was approved by the District and agreed to pay the additional cost to change the plans. The authorization will reimburse Paone for his expenses. These fees will be charged to the contractor.

Deferred Maintenance.....not-to-exceed.....\$22,100

MARK J. PAONE, AIA

The fire alarm system at the Parkside/ROP site is no longer operable and is too old to repair. This contract will authorize Paone Architecture to provide architectural services in consultation with FBA Engineering to design a replacement system, design required ADA accommodations, submit to DSA, and provide project oversight.

Deferred Maintenance.....not-to-exceed.....\$32,325

MEADOWS CONSTRUCTION SERVICES, INC.

The District awarded Bid No. FC6017 – Modernization and Abatement – Sycamore Elementary School to Meadows Constructions Services, Inc., on May 22, 2008. Change Order 9 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 of 10% per the Public Contract Code.

Special Reserve/Capital Projects.....\$12,167

MILLER BROWN & DANNIS

This item was pulled for discussion and separate action. *See Motion No. 8.*

ORANGE COUNTY DEPARTMENT OF EDUCATION (OCDE)

From time to time it is advantageous for the District to utilize the services of OCDE to act as facilitator in addressing various legal issues that impact numerous school districts in the County. Currently, the Orange County Sanitation Department is proposing to access sewer fees to districts. The proposed assessment may not be in accordance with the State Constitution. This item authorizes OCDE to retain independent legal council and professional consultants as necessary to litigate this action. The District will pay its proportionate share of the expenses based on student enrollment. Capital Facilities Fund.....not to exceed.....\$40,000

PANDA SECURITY

The District requires an Internet protection system against various Internet threats: viruses, worms, trojans, spam, spyware, and hackers. Panda Security for Business can provide this service and is centrally administered.

Information Services..... not to exceed \$14,000

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

The contracts listed below have been completed and requires acceptance by the Board of Education prior to filing of appropriate notices of completion:

UPC #607 – Asphalt installation, repairs, replacement
Project(s): Yorba MS Modernization
Board Approval: September 25, 2008
Original Purchase Order: 904555
Completion Date: June 30, 2009
Contractor: Universal Asphalt Co., Inc.
Original Project Amount: \$ 52,200
Change Order(s) Amount: \$ -0-
Total Project Amount: \$ 52,200
Fund(s): Special Reserves (40)

Project(s): Fairhaven ES
Board Approval: September 25, 2008
Original Purchase Order: 904659
Completion Date: June 30, 2009
Contractor: Universal Asphalt Co, Inc.
Original Project Amount: \$ 18,343
Change Order(s) Amount: \$ -0-
Total Project Amount: \$ 18,343
Fund(s): Special Reserves (40)

Resolution 06-07-08: Energy Conservation Program
Project(s): El Modena High School
Board Approval: September 27, 2007
Original Purchase Order: 803931
Completion Date: June 2, 2009
Contractor: Chevron Energy Solutions Co.
Original Project Amount: \$ 3,245,360

Change Order(s) Amount:	\$ -0-
Total Project Amount:	\$ 3,245,360
Fund(s):	Special Reserves Fund (40)

Item 14.F. Resolution No. 01-09-10: Signature Authorization

The Board adopted Resolution No. 01-09-10 granting signature authorization for specific District administrative/leadership employees as indicated on the attached document.

Item 14.G. Resolution No. 02-09-10: Certification of Compliance with all Requirements of American Recovery and Reinvestment (ARRA) for Qualified School Construction Bond Program Funding

This item was pulled for discussion and separate action. *See Motion No. 9.*

Item 14.H. Approval of Agreement between the Los Angeles Unified School District and Arey

Jones Educational Solutions for IBM Computer Systems and Related Equipment

The Board approved the renewal of the LAUSD Bid No. C-565 Computer Price Agreement with Arey Jones for an additional year.

Item 14.I. Fourth Quarter Report of Uniform Complaints for the Williams and Valenzuela Case Settlements

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

Item 14.J. Personnel Report

The Board approved the attached Personnel Report.

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

Approved as presented.

Item 14.L. Teacher Assignment – Provisional Internship Permit

Approved as presented.

Item 14.M. Student Teaching Agreement – California State University, Fullerton

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

Item 14.N. Classified Position Eliminations

Due to lack of work/lack of funds, the Board of Education approve the elimination of the following positions and authorize the Superintendent or designee to give notice of layoff to the affected employees effective 45 days following notification.

Classification	Number of Positions
Library Media Technician II	1
Career Guidance Technician/Job Placement	1

Item 14.O. Contract Services Report – Educational Services

The following contract service items for Educational Services were approved.

BLACKBOARD, INC.

Blackboard Learning System, including the content and portal system, is a web-based course management system used to extend traditional classrooms beyond the four walls and deliver online courses, hybrid courses and traditional courses in a secure safe environment. Blackboard affords for online staff development, Professional Learning Communities and Community/School sites. Blackboard provides a work area or “virtual hard drive” where teachers/ students can store, organize, and share files in a secure environment anytime, anywhere. Blackboard Maintenance and support renewal is for the period July 1, 2008 to June 30, 2009.

Educational Technology/Microsoft Settlement Software Voucher.....\$120,562

LEARNING OBJECTS

Learning Objects will provide a Campus Pack License. The license is a suite of learning applications that foster active thinking, facilitate collaboration, and expand channels for student-instructor interaction. Wikis, Blogs and Podcasts are part of the Learning Objects license that will be incorporated into Blackboard.

Educational Technology . . .not-to-exceed.....\$9,900

01.00-7394-0-5843-0000-2420-603-401-000 (Davis)

PROQUEST LLC

Proquest Information and Learning provides SIRS Discoverer and SIRS Researcher, an online database which provides relevant, credible full-text articles on science, social issues, history, government, the arts and humanities. The renewal subscription for SIRS Discoverer and SIRS Researcher covers the period of August 1, 2009 through July 31, 2010.

Software.....not-to-exceed.....\$8,545

01.00-0000-0-5843-0000-2420-209-209-000 (Davis)

SCHOOL PATHWAYS, LLC

School Pathways provides the *Reportwriter* software and license for a curriculum program that provides pacing guides and student assignments, aligned with District approved curriculum standards and textbooks for students enrolled in the District Home School and Independent Study programs. The cost of the program is \$3 per student. On July 24, 2008, the Board of Education approved an amount not to exceed \$2500 for the period of July 1, 2008 through June 30, 2009. Enrollment exceeded the expectations and there is a need to increase this amount to cover the cost of the program through June 30, 2009. An additional \$1,600 is needed to satisfy this contract.

Alternative Education.....not to exceed.....\$1,600

01.00-0000-0-5850-3300-2700-397-202-000 (Reider)

SURVIVOR FIRST AID, CPR Survivor First Aid, CPR with the American Heart Association will conduct a full day in-service at Covenant Christian School on August 27, 2009 for staff training in CPR and first-aid to ensure student safety and increase staff knowledge and awareness. School

districts are required to provide equitable share of federal monies to the private schools within their attendance boundaries.

Title IV, Part A not-to-exceed \$476 .

Item 14.P. Study Trips

The Board approved the following study trip:

Orange High School - Pep Squad & Dance Team - San Diego, CA – August 2-5, 2009

Orange High's Pep Squad & Dance Team, under the direction of Carrie Woodson, will travel to San Diego to attend Universal Cheerleaders Association (UCA) and Universal Dance Association (UDA) Camp during summer break. Students will have the opportunity to learn performance material, team work, leadership, develop new skills in movement, and gain experience and confidence. One male and nineteen female students will be accompanied by one male and three female chaperones and will stay in University of San Diego dormitories. Departing transportation will be provided by District bus. Parents who have an approved District driver certificate on file prior to the trip will provide return transportation. Total cost per student is \$350 and scholarships are available. Students will not miss any school days. No substitute is required.

Orange High School - Boys Varsity Water Polo Team - Poway, CA - September 10-12, 2009

Orange High's Boys Varsity Water Polo team, under the direction of Jennifer Visconti, will travel to Poway to compete, by invitation only, in the 2009 Poway Invitational and will represent Orange High outside of the CIF southern section. This opportunity will broaden the athletic view of competition normally seen in local tournament competition against high level teams. The experience will also teach valuable lessons in responsibility, respect, and school pride and bring a heightened sense of self, team, and school pride to the athletes. Eight male students will be accompanied by one male and two female adult chaperones and will stay at the Best Western Inn, Miramar. Transportation will be provided by parents who will have an approved District driver certificate on file prior to the trip. Total cost per student is \$130 and scholarships are available. Students will miss one day of school. A substitute is required. The cost for the substitute will be reimbursed by ASB funds.

Villa Park High School - Cross Country Team - San Francisco, CA - September 18-20, 2009

Villa Park High's Cross Country team, under the direction of coach David White, will travel to San Francisco to participate in the Lowell Cross County Invitational. Team members will have the opportunity compete against schools from northern and central California, which will serve as preparation for the state cross country championships in November. Fifteen male and seventeen female students will be accompanied by four female and four male adult chaperones and will stay at the Embassy Suites, San Francisco. Transportation will be provided by chartered Certified Transportation arranged by the District. Total cost per student is a \$150 and scholarships are available. Students will miss one school day. A substitute is required. The cost for the substitute will be reimbursed by ASB funds.

El Modena High School - Cross Country Team - San Marcos, CA - September 26-27, 2009

El Modena High's Cross Country team, under the direction of coach John Ahern, will travel to San Marcos to participate in the Mission Hills Cross Country Meet. Running outside the southern section gives athletes an opportunity to compete in the presence of college coaches and gain an opportunity for scholarships, as in past years. Fourteen male and fourteen female students will be

accompanied by four male and six female adult chaperones and will stay at the Ramada Inn, San Marcos. Transportation will be provided by parents who will have an approved District driver certificate on file with prior to the trip. The total cost per student is \$35 and scholarships are available. Students will not miss any school days. No substitute will be required.

Item 14.Q. Migrant Education Region IX – Approval of Service Agreement between San Diego County Office of Education and the District for the 2009-10 School Year

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

Item 14.R. Agricultural Vocational Education Incentive Grant Award

The Board authorized the Superintendent or designee to accept the Agricultural Vocational Education Incentive Grant Award.

Item 14.S. Contract Services Report – Pupil Services

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

CINNAMON HILLS

Cinnamon Hills Youth Crisis Center provided special education and/or related services to individuals with exceptional needs during the 2008/09 school year.

Special Education not-to-exceed \$11,000

DR. CHRIS DAVIDSON

The professional services of Dr. Chris Davidson, a licensed psychologist, were required for an assessment and meeting attendance for a special education student during the 2008/09 school year.

Special Education not-to-exceed \$200

VICKI JOHNSON, CCC-SLP

The services of Vicki Johnson were required to provide speech and language services to special education students as required by law, during the 2008/09 school year.

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

MICHIGAN BRAILLE TRANSCRIBING

The services of Michigan Braille Transcribing are required to transcribe student textbooks into Braille for visually impaired students during the 2009/10 school year.

Special Education not-to-exceed \$5,700

MINGUS MOUNTAIN ACADEMY*

Mingus Mountain Academy will provide special education and/or related services to individuals with exceptional needs during the 2009/10 school year.

Special Education not-to-exceed \$36,125

NEWPORT BEACH DEVELOPMENTAL OPTOMETRY GROUP

The services of Newport Beach Developmental Optometry Group were required during the 2008/09 school year to provide vision training for special education students.

Special Education not-to-exceed \$800

RECORDINGS FOR THE BLIND AND DYSLEXIC

Recordings for the Blind and Dyslexic provide textbooks on compact disc. The annual membership allows the District to borrow these materials as needed for our visually impaired students during the 2009/10 school year.

Special Education not-to-exceed \$500

JULIE BERG RYAN, O.D.

The services of Julie Berg Ryan are required to conduct visual therapy for special education students during the 2009/10 school year.

Special Education not-to-exceed \$4,000

SPECIAL EDUCATION STUDENT #338000

As the result of an agreement in OAH Case #N2008070233, the District will reimburse the parents of a special education student for speech and language services during the 2008/09 school year.

Special Education not-to-exceed \$845

SPECIAL EDUCATION STUDENT #322711

Per the student's Individualized Education Program (IEP), the District has agreed to reimburse the parent for an auditory processing assessment.

Special Education not-to-exceed \$485

Item 14.T. Memorandum of Understanding between the Orange County Superintendent of Schools and the Orange Unified School District

The Board authorized the District to enter into the Memorandum of Understanding between the Orange County Superintendent of Schools and the District.

PULLED ITEMS

Item 14.D. MILLER BROWN & DANNIS

Miller Brown & Dannis provides specialized legal services in matters related to general counsel and school charters. The legal services will include reviews, recommendations and advice to the District. An open purchase order will be established for the payment of invoices for the period of July 1, 2009 through June 30, 2010. The budgeted amount for this account through the Superintendent's office for the 2009-10 school year is \$30,000.

Motion No. 8

It was moved by Mrs. Nichols and seconded by Mrs. Smith to approve the contract for services from Miller Brown & Dannis.

Motion No. 8 failed by a vote of 3-2-2 (No: Deligianni, Ledesma; Absent: Ortega; Wayland).

Item 14.G. Resolution No. 02-09-10: Certification of Compliance with all Requirements of American Recovery and Reinvestment (ARRA) for Qualified School Construction Bond Program Funding

Mr. Christensen clarified that Congress passed the ARRA in February 2009 as a means to stimulate the economy. There are various programs to quick-start construction projects throughout the United States. One of those programs is the Qualified School Construction Bond Program. This is a way to get money to school districts who agree that they have projects that they are ready to work on and they can spend the money within three years. Although school districts have to borrow money, the advantage is that instead of paying interest on this money, the interest comes in the form of tax credits to the people who buy the bonds. In essence, this is interest-free money for the District to use. The money would be paid back through the redevelopment money that is currently used to pay the COPs.

Mr. Christensen emphasized that this item is not to borrow the money, nor to decide what work is to be done. This money must be used for construction of public school facilities, rehabilitation or repair of same, acquisition of land and for equipment related to those program projects. This is the Board's approval, through a resolution, that if selected to do this work, and the District chooses to do the bonds, that the District will comply with the requirements of the program. Therefore, in order to apply to be selected to receive this money, the resolution must be approved first.

Notion No. 9

It was moved by Mr. Ledesma, seconded by Mrs. Moffat and carried by a vote of 5-2 (Absent: Ortega; Wayland) to approve Resolution No. 02-09-10 certifying compliance with all requirements of the American Recovery and Reconstruction Act for Qualified School Construction Bond program funding.

Item 14.Q. Migrant Education Region IX – Approval of Service Agreement between San Diego County Office of Education and the District for the 2009-10 School Year

The District operates a Migrant Education program that serves 107 students in 25 schools in grades Pre K-12 under a service agreement with the San Diego County Office of Education. The regional office agrees to render services approved in the agreement in accordance with state and federal laws and administrative directives from the United States Department of Education and the California Department of Education. The goal of Migrant Education Region IX is to provide school districts quality supplemental services, effective and efficient use of resources, and innovative leadership by working collaboratively to meet the educational needs of migrant students. Approval of this service agreement has no fiscal impact. Students receive services provided by Migrant Education personnel. The District receives no funds.

Motion No. 10

It was moved by Mrs. Smith and seconded by Mrs. Nichols to approve the Migrant Education Region IX San Diego Office of Education Service Agreement for the 2009-10 school year.

Discussion

Mr. Ledesma stated that "based on this being migrant education, he would like funds expended to truly support the students of this District and not those who move about and aren't, I believe, invested in this community."

It was noted that the San Diego County Office of Education serves our students who qualify for this program. This is a federal program, not a state or local.

Motion No. 10 failed by a vote of 3-2-2 (No: Deligianni, Ledesma; Absent: Ortega; Wayland).

15. PUBLIC COMMENT: Non-Agenda Items

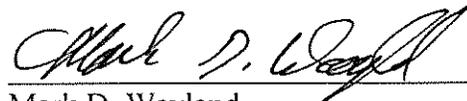
No speakers.

16. OTHER BUSINESS

None

17. ADJOURNMENT

By call of the chair, the meeting adjourned at 9:15 p.m.



Mark D. Wayland
Clerk of the Board