

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

**Thursday • September 10, 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 6:02 p.m.

2. ESTABLISH QUORUM

A 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 6:03 p.m. to discuss the following items:

- A. PUBLIC EMPLOYEE APPOINTMENT/EMPLOYMENT/DISCIPLINE/RELEASE
- B. CONFERENCE WITH LABOR NEGOTIATORS
 - 1. Orange Unified Education Association
 - 2. California School Employees Association

5. CALL TO ORDER – REGULAR SESSION

Mr. Ledesma called the meeting to order at 7:00 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

There was nothing to report.

8. ADOPTION OF AGENDA

Motion No. 19

It was moved by Mrs. Nichols, seconded by Dr. Deligianni, and carried by a vote of 6-1 (Absent: Ortega) to adopt the September 10, 2009 agenda.

9. ANNOUNCEMENTS AND ACKNOWLEDGMENTS

Item 9.A. Superintendent's Report

Dr. Dreier read the Proclamation from President Barack Obama proclaiming September 11, 2009, as Patriot Day and National Day of Service and Remembrance. All departments, agencies, and instrumentalities of the United States are to display the flag of the United States at half-staff on this day in honor of the individuals who lost their lives as a result of the terrorist attacks against the United States that occurred on September 11, 2001.

Item 9.B. Board Presidents Report

No Report

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

Mrs. Moffat congratulated Cee Ketpura, a sophomore at Villa Park High School, who was featured in the magazine, Sports Illustrated, *Faces in the Crowd* section, for winning the Under 17, Girls Singles and Doubles title in badminton at the USA Badminton Junior National Championships.

Mrs. Nichols congratulated and commended the Superintendent, Cabinet and Administrators for the way our District handled the issue of the President's speech to school children on Tuesday. It was a sensitive issue to many parents and she believes that OUSD modeled the way to handle this matter.

Item 9.D. Student Advisory Council to the Board of Education (SACBE) - Introduction

Aileen Sterling, Executive Director of Secondary Education, introduced the student members for the 2009-10 Student Advisory Council to the Board of Education as follows:

Alexandra Adams	Canyon High School
Mary Ellen Havana	El Modena High School
Lorraine Ngin.....	Orange High School
To Be Determined.....	Richland Continuation HS
Collier Beardsley	Villa Park High School

10. APPROVAL OF MINUTES

July 23, 2009 Regular Meeting

August 20, 2009 Regular Meeting

Motion No. 20

It was moved by Mrs. Smith, seconded by Mr. Wayland, and carried by a vote of 6-1(Absent: Ortega) to approve the minutes of the July 23, and August 20, 2009 regular Board meetings.

11. PUBLIC COMMENT: Non-Agenda Items

Speakers

The following speakers spoke on behalf and in support of the Classified School Employees Association (CSEA) bargaining unit and against reductions in wages as proposed in negotiations.

1. Lola Reynosa

2. Oryden Gould
3. Danielle Miller
4. Sandy Brior

12. ACTION ITEMS

Item 12.A. Adoption of 2008/09 Unaudited Actuals and Revised Budget for 2009/10

Orange Unified School District, as a single-adoption District, adopted the 2009/10 budget on June 18, 2009. *Education Code* section 42127(i)(4) specifies that within 45 days after the Governor signs the budget, the district shall make available for public review any material revisions in the revenues and expenditures made available by the Budget Act. In compliance with AB 1200 requirements, the Board of Education is presented the 2008/09 Unaudited Actuals for approval prior to September 15.

Average Daily Attendance: Average daily attendance 27,264.73 (not including District charter schools) is used for purposes of calculating the Revenue Limit Apportionment, reflecting no change in ADA due to declining enrollment protection. The following chart is a composition of 2009/10 ADA:

<u>ADA</u>	
OUSD	26,864.74
AB1446 declining enrollment protection	33.65
Non-Public Schools	48.00
OUSD Community Day School	37.12
County Special Education	23.49
County Community Schools	229.84
Adult Education	<u>27.89</u>
Subtotal	<u>27,264.73</u>
El Rancho Charter	1,093.46
Santiago Charter	<u>1,008.35</u>
Subtotal (Charter School Only)	<u>2,101.81</u>
GRAND TOTAL	<u>29,366.54</u>

Revenues: Included in the revenue of the District's budget for 2009/10 is a 4.25% cost of living adjustment (COLA) with an 18.355% Revenue Limit Deficit. In addition, the recent ABX4 2 Legislative Budget revision imposed a one-time reduction of \$250 per ADA. The COLA deficit and \$250 per ADA reduction yields an estimated \$680 per student decrease in the revenue-limit calculation resulting in a deficit revenue limit of \$4,956.26 per ADA for 2009/10. The 2009/10 Budget revenue component now reflects deferred revenues/carryovers from the 2008/09 fiscal year. The unexpended entitlements have been included in components of the 2008/09 ending fund balance and added to the 2009/10 expenditure lines. These entitlements, including State Fiscal Stabilization, Medical-Cal Billing option, English Language Acquisition Program, Economic Impact Aid, and Quality Education Investment Act, amount to approximately \$13.4 million.

Other unexpended/remaining components of the 2008/09 ending fund balance are El Rancho Charter

School, non-resident tuition, site/department donations, Instructional Materials and the Legislative ABX4 2 Special Session deficit shift totaling approximately \$9 million. Federal and state categoricals are projected at 2008/09 allocations with reductions in COLA of 0% and 4.9% respectively for those entitlements and grants known to be ongoing.

Expenditures: Supplies, services/operating expenses, and capital outlay are in conformity with estimated site and program budgets. The following programs continue in the 2009/10 budget: (1) K-2 class size reduction; (2) athletic program; and (3) grade 5-6 instrumental music programs.

Ending Balance: The projected ending balance of \$5,697,717 is comprised of the following:

Revolving Cash	\$ 125,000
Stores	150,000
Designated for Economic Uncertainties (1.7%)	4,366,590
El Rancho Beginning Balance	1,000,000
Non-Resident Tuition	56,127
Unappropriated Amount	0

The District's ending balance meets the revised Enacted Budget which lowers the minimum reserve requirement for economic uncertainties to 1/3 percentage level adopted by the State board on May 1, 2009. However, the District is required to make progress in fiscal year 2010-11 to return to compliance and to fully restore the minimum required reserve of 3% by 2011-12.

Transfer Resolution: Resolution Nos. 05-09-10 and 06-09-10 are the technical mechanisms which the Orange County Department of Education utilizes to authorize and input the information shown in the 2008/09 Unaudited Actuals and the 2009/10 Revised Budget.

Motion No. 21

It was moved by Mrs. Nichols, seconded by Mrs. Moffat, and carried by a vote of 6-1 (Absent: Ortega) to adopt the 2008/09 Unaudited Actuals and 2009/10 Revised Budget and authorize staff to implement the necessary transfers as shown in Transfer Resolutions Nos. 05-09-10 and 06-09-10.

13. INFORMATION/DISCUSSION ITEMS

Item 13.A. Proposed Board Policy Revisions – BP 1312.1 and BP 1312.3 – First Reading

The District's Board Policies are reviewed and updated periodically. As new state and federal laws and regulations are enacted, affected policies must be revised or updated. Board Policies 1312.1, *Complaints Concerning District Employees*, and 1312.3, *Uniform Complaint Procedures*, were presented for a first reading.

14. CONSENT ITEMS

ITEMS PULLED FOR DISCUSSION AND SEPARATE ACTION

Item 14.L. Contract Services Report – Educational Services *Curriculum Designers*

Item 14.J. Contract Services Report – Pupil Services
Michigan Braille Transcribing

Both items were pulled by Mr. Wayland for separate action.

Motion No. 22

It was moved by Mrs. Nichols, seconded by Dr. Deligianni, and carried by a vote of 6-1 (Absent: Ortega) to approve the consent items, excluding Item Nos. 14.I and 14.J. as noted above.

Item 14.A. Purchase Orders List

The Board approved the Purchase Order List dated August 10, through August 30, 2009 in the amount of \$1,998,057.25. See attached Purchase Orders Lists.

Item 14.B. Warrants List

The Board of Education approved the Warrants List dated August 10, through August 30, 2009 in the amount of \$3,922,565.17. See attached Warrants List.

Item 14.C. Contract Services Report – Administrative Services

The following contract service items for Administrative Services were approved.

JJJ FLOOR COVERING, INC.

In September 2008, JJJ Floor Covering, Inc. was competitively awarded a Unit Price Contract (UPC) for flooring services as required by the District. The contract provides for an initial one-year term, followed by two one-year options. The District has utilized the UPC and is satisfied with the contractor's performance. Accordingly, the UPC should be renewed for a second year to support continuing District needs. Expenditures are made from all sites, programs and department budgets. This is not a request for any additional budgetary appropriation.

UNIVERSAL ASPHALT CO., INC.

In September 2008, Universal Asphalt Co., Inc. was competitively awarded a Unit Price Contract (UPC) for general asphalt work as required by the District. The contract provides for an initial one-year term, followed by two one-year options. The District has utilized the UPC and is satisfied with the contractor's performance. Accordingly, the UPC should be renewed for a second year to support continuing District needs. Expenditures are made from all sites, programs and department budgets. This is not a request for any additional budgetary appropriation.

VERNE'S PLUMBING, INC.

In September 2008, Verne's Plumbing, Inc. was competitively awarded a Unit Price Contract (UPC) for plumbing services as required by the District. The contract provides for an initial one-year term, followed by two one-year options. The District has utilized the UPC and is satisfied with the contractor's performance. Accordingly, the UPC should be renewed for a second year to support continuing District needs. Expenditures are made from all sites, programs and department budgets. This is not a request for any additional budgetary appropriation.

Item 14.D. 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:

BID FC 606 – General Plumbing Services, installation repairs and replacement	
Project(s):	Yorba Middle School
Board Approval:	September 25, 2008
Purchase Order:	904142
Completion Date:	August 20, 2009
Contractor:	Verne’s Plumbing Inc.
Original Project Amount:	\$ 60,000
Change Order(s) Amount:	\$ 0
Total Project Amount:	\$ 60,000
Fund(s):	Special Reserves (40)

Item 14.E. Resolution No. 07-09-10: Gann Amendment Appropriations Limit

The Board adopted Resolution No. 07-09-10, Gann Amendment Appropriations Limit, for current and preceding fiscal years in accordance with Article XIII-B of the California Constitution. See attached resolution.

Item 14.F. Liability Claims

the Board of Education reject Liability Claim Nos. 09/10-0001, 09/10-0002 and 09/10-0003.

Item 14.G. Personnel Report

The Board approved the attached Personnel Report.

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

The Board approved the variable term waiver(s) as presented.

Item 14.L. Contract Services Report – Educational Services

The following contract service items for Educational Services were approved.

LITERACY ON STAGE 2009-2010

Literacy On Stage will provide music enrichment with an interactive journey through the Performing Arts for the students at Anaheim Hills Elementary School during the 2009-2010 school year. The cost of the program is \$1,800. There is no impact to the general fund since the student cost will be paid by funds donated from individual parent organizations.

Elementary Education.....(Morga)

ELLUMINATE USA, INC.

The District will renew the contract with Elluminate 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. Elluminate may be utilized by any K-12 student. Elluminate will also be used for online synchronous staff development. The maintenance agreement is effective 10/26/2009 to 10/25/2010.

Microsoft Software Voucher.....\$4,860

SANTIAGO CANYON COLLEGE CAHSEE PREPARATION WORKSHOP

Santiago Canyon College will conduct California High School Exit Exam (CAHSEE) Preparation Workshops October 6, 2009 through November 10, 2009. The workshops will assist up to ten students for CAHSEE exam preparation. The students will review all subsections of the CAHSEE Exams (Math and Language Arts) and also review test taking strategies. The workshops are being offered to students in the Title VII Native American Education Program who need assistance in preparing for the CAHSEE exams. The cost per student for each workshop is \$94 and 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.....\$ 940

SANTIAGO CANYON COLLEGE - SCHOLASTIC APTITUDE TEST PREPARATION WORKSHOPS

Santiago Canyon College will conduct Scholastic Aptitude Test (SAT) Preparation Workshops on October 3, 2009 and October 10, 2009. The workshops will assist up to ten students with SAT preparation. Students will review all subsections of the SAT (Math, Reading, and Writing) and also review test taking strategies. The workshops are being offered to students in the Title VII Native American Education Program who are preparing to apply for college and need assistance in preparing for the SAT Test. The cost per student for each workshop is \$94 and 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.....\$ 940

CURRICULUM DESIGNERS

This item was pulled for separate action. *See Motion No. 23.*

TELEPARENT EDUCATIONAL SYSTEMS, LLC

TeleParent Educational Systems, LLC software will provide parental notification for teachers, students, and parents at Orange High School for the 2009-2010 school year. This home-phoning system will enable teachers to communicate with parents on a more frequent basis. Services will provide immediate contact and information in all target languages, as well as classroom and student situational messaging. The TeleParent home-phoning system has the capability to communicate to parents in Vietnamese, which is not currently available on the Global Connect system. Fiscal impact will be the expenditure of restricted categorical fund monies.

Site Title I funds.....not-to-exceed.....\$7,200

Item 14.J. Contract Services Report – Pupil Services

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

DEVEREUX FLORIDA

Services required for the purpose of providing special education and/or related services to students with exceptional needs during the 2009/10 school year.

Special Education not-to-exceed \$30,000

VICTOR S. HEMPHILL

Services required for transcription of school work for visually impaired special education students during the 2009/2010 school year.

Special Education not-to-exceed \$5,000

DEBRA L. JACKSON

Services required to provide special education and/or related services to visually impaired students during the 2009/2010 school year.

Special Education not-to-exceed \$47,500

MICHIGAN BRAILLE TRANSCRIBING

This item was pulled for separate action. *See Motion No. 23.*

ROBYN RAKOV, O.D.

Services required to provide vision therapy, assessments and consultation to students with special needs during the 2009/2010 school year.

Special Education not-to-exceed \$5,000

THANH NHAN LAC LY

Services required for transcription of school work for visually impaired special education students during the 2009/2010 school year.

Special Education not-to-exceed \$20,000

PULLED ITEMS

Mr. Wayland requested additional information regarding the following contract service reports. Clarification was provided.

Item 14.I. Contract Services Report – Educational Services

CURRICULUM DESIGNERS

School districts are required to provide an equitable share of federal monies to the private schools within their attendance boundaries. Jennie Johnson, Educational Consultant for Curriculum Designers, will conduct a one day Curriculum Mapping training and consulting on October 26, 2009 for staff at St. John’s Lutheran School. The training is being conducted to help staff understand, implement, and sustain mapping throughout the grade levels. The facilitator’s fees and travel expenses are included. Fiscal impact will be the expenditure of restricted categorical fund monies.

Title II, Part Anot-to-exceed \$3,500

Item No. 14.J. Contract Services Report – Pupil Services

MICHIGAN BRAILLE TRANSCRIBING

Services are required to transcribe student textbooks into Braille for visually impaired students during the 2009/10 school year.

Special Education not-to-exceed \$6,500

Motion No. 23

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

Ortega) to approve Item Nos. 14.I and 14.J as noted above.

15. PUBLIC COMMENT: Non-Agenda Items

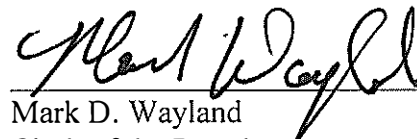
No speakers.

16. OTHER BUSINESS

None

17. ADJOURNMENT

By call of the chair, the meeting adjourned at 7:51 p.m.



Mark D. Wayland
Clerk of the Board