

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

**Thursday • January 21, 2010  
5:30 P.M. • Closed Session  
7:00 P.M. • Regular Session**

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**MINUTES**

**1. CALL MEETING TO ORDER**

Board President Ortega called the meeting to order at 5:34 p.m.

**2. ESTABLISH QUORUM**

A quorum was established.

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

Board Members Absent: Nichols

**3. PUBLIC COMMENT ON CLOSED SESSION AGENDA ITEMS**

None

**4. ADJOURN TO CLOSED SESSION**

The meeting adjourned to closed session at 5:34 p.m. to discuss the following items:

A. PUBLIC EMPLOYEE EMPLOYMENT/DISMISSAL/RELEASE

B. PUBLIC EMPLOYMENT

Discussion Regarding Term of Employment Only

Title: Superintendent

*Mrs. Nichols arrived at 6:55 p.m.*

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

Mr. Ortega called the meeting to order at 7:06 p.m.

**6. PLEDGE OF ALLEGIANCE**

Mr. Ortega invited the audience to join together in reciting the Pledge of Allegiance.

**7. REPORT OF CLOSED SESSION DECISIONS**

The Board authorized the suspension of a classified employee for four days without pay.

**8. ADOPTION OF AGENDA**

**Motion No. 55**

It was moved by Dr. Deligianni, seconded by Mr. Wayland, and carried by a vote of 7-0 to adopt the January 21, 2010 agenda.

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**9. ANNOUNCEMENTS AND ACKNOWLEDGMENTS**

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

Dr. Dreier announced that teachers, Judy Denenny from McPherson Magnet, Mary Catherine Doyle from Fairhaven and Scott Williams from Villa Park Elementary Schools, were selected by the Orange County Department of Education as representatives for the 2010 Orange County Computer Using Educators (CUE) Annual Student Technology Showcase. These teachers will demonstrate the innovative ways that they and their students are using technology.

Dr. Dreier commended the second half of teachers who were recognized for receiving mini-grants funded by the Rotary Club of Orange and the Orange Education Foundation. The mini-grants are given to teachers who have found an innovative way to teach. The winners were:

Michelle Stephens	Imperial	Szu Wei Hsieh	McPherson	Chelsea Bottomley	McPherson
Teresa Andrade	McPherson	Cherly Robertson	McPherson	Tara Randal	McPherson
Christy Covington	Serrano	Dana Vigneault	Serrano	Helen Ramsey	Sycamore
Kristen Dan	Sycamore	Tami Daffen	West Orange		

The Rotary Club of Orange funded \$7,200; the Orange Education Foundation funded \$3,000. Dr. Dreier expressed her appreciation for their sponsorship and support towards our teachers.

**Item 9.B. Board Presidents Report**

Mr. Ortega wished everyone a happy new year as we move forward collectively together.

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

**(i) CASTO School Bus Safety Poster Contest**

Mr. Ortega presented a Certificate of Recognition to Gilbert Madrid, in the fourth grade SDC class at Canyon Rim Elementary, Sophia Iwao, a fifth grader from Canyon Rim Elementary, and Jasmine Gamez, a first grader from Serrano Elementary all of whom won the California Association of School Transportation Officials *School Bus Safety Poster Contest*. Each student will receive a \$50 savings bond. Jasmine was the "Overall Winner" of the School Bus Safety Poster Contest and received \$100 for a class party. Jasmine's poster was entered at the state level where she won the State Division in her category. She will receive a \$150 Savings Bond.

**(ii) Outstanding Employee of the Month**

The Board of Education recognized Larry Hsieh, Network Technician, Information Services Department, as the recipient of the Outstanding Customer Service Award for the month of January. On behalf of the Board of Education, Mr. Ortega presented a Certificate of Recognition to Mr. Hsieh.

**Item 9.D. State of the School Report – School Updates**

The SACBE representatives gave brief updates regarding activities, academics, testing and sports. Breona Mandel was introduced as Richland's new SACBE representative, replacing Diana Gonzales. Collier Beardsley from Villa Park High School was not present for the meeting.

**10. APPROVAL OF MINUTES**

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December 10, 2009 (Regular Minutes)

**Motion No. 56**

It was moved by Mrs. Smith, seconded by Mr. Wayland, and carried by a vote of 7-0 to approve the December 10, 2009 regular Board meeting minutes.

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

**Speakers**

No speakers

**12. ACTION ITEMS**

**Item 12.A. Student Calendar 2010-2011**

The student calendar for 2010-11 was presented as part of the continuation of a comprehensive District-wide cost saving process. The student calendar for 2010-11 reflects the schedule and savings of the "modified" traditional track student calendar which was approved by the Board of Education for the previous school year. The length of the student Thanksgiving break is the only notable change over the current 2009-10 calendar.

**Motion No. 57**

It was moved by Mrs. Nichols, seconded by Mr. Ledesma, and carried by a vote of 7-0 to approve the attached student calendar for the 2010-11 school year.

**Item 12.B. Memorandum of Understanding between the District and California School Employees Association, Chapter 67, for 2009-10 Re-Opener Negotiations**

Under the terms of the Collective Bargaining Agreement, the parties agreed to re-open Article 12, plus one specified article for re-opener negotiations for 2009-10. This Memorandum of Understanding concludes re-opener negotiations between the District and the California School Employees Association (CSEA), Chapter 67, for the 2009-10 school year. The MOU between the District and the CSEA, Chapter 67, reduces the number of compensated workdays for employees represented by CSEA, Chapter 67. See attached AB 1200 statement.

**Motion No. 58**

It was moved by Mrs. Nichols, seconded by Mr. Wayland, and carried by a vote of 7-0 to ratify the Memorandum of Understanding between the Orange Unified School District and the California School Employees Association, Chapter 67.

**Item 12.C. Amendment to Employment Agreement between the Board of Education and the Superintendent Regarding Term**

The term of the Superintendent's current Agreement for Employment is from August 1, 2008 through July 31, 2011. The Board of Education will consider taking action to authorize a second amendment for the purpose of extending the term of the Superintendent's Agreement for Employment beyond July 31, 2011. This action does not propose to increase the compensation of the Superintendent.

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**Motion No. 59**

It was moved by Mr. Ledesma, seconded by Mrs. Nichols, and carried by a vote of 7-0 to authorize a second amendment to the Superintendent's Agreement for Employment to extend the term beyond July 31, 2011 to June 30, 2013 and that the Board President and Clerk be authorized to sign the second amendment on behalf of the Board of Education.

**Item 12.D. Legislative Coalition – 2010 Platform**

Larry Cohn, Chair of the Legislative Coalition, presented to the Board of Education the proposed 2010 Legislative Platform. The Platform, as follows, will be submitted to the legislature in Sacramento in March.

1. Support legislation that extends categorical flexibility beyond the 2012-13 sunset date.
2. Promote legislation that would address the substantial cost to school districts in responding to charter school applications, as required by law.
3. Support legislation that prevents the reduction of school district Revenue Limits to offset the costs of specific or categorical programs.
4. Support legislation that provides ADA funding for online classes.

**Motion No. 60**

It was moved by Mrs. Nichols, seconded by Mrs. Moffat, and carried by a vote of 7-0 to approve the proposed Legislative Coalition Platform for 2010, as presented above.

**Item No. 12.E. Resolution No. 17-09-10: Authorization to Submit Revised Conflict of Interest Code to the Orange County Board of Supervisors for Approval**

The Orange County Board of Supervisors has adopted standardized disclosure categories and made them available to all districts in Orange County for whom they are the Code Reviewing Body. As such, the District's current Conflict of Interest Code needs to be amended to include the County's standardized disclosure categories. The Orange Unified School District Board of Education last amended its Conflict of Interest Code in October 2002. Revisions are subject to review and approval by the Orange County Board of Supervisors, pursuant to Government Code 82011(b) and 87303.

**Motion No. 61**

It was moved by Mrs. Smith, seconded by Mrs. Nichols, and carried by a vote of 7-0 to adopt Resolution No. 17-09-10, authorizing submission of the revised Conflict of Interest Code to the Orange County Board of Supervisors for approval.

**13. INFORMATION/DISCUSSION ITEMS**

**Item 13.A. Presentation of Energy Star Recognition**

Orange Unified School District has been recognized with the Energy Star both District-wide and at the school site level. An overview of the recognition was presented and the bronze Energy Star Label plaques were awarded to qualifying schools.

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Energy Star School Site Recognition

The following schools have earned the Energy Star Label. This is accomplished by using about 35 percent less energy than average buildings, while still providing quality service and comfort to occupants:

1. Canyon Rim Elementary School
2. Esplanade Elementary School
3. Fairhaven Elementary School
4. Handy Elementary School
5. Imperial Elementary School
6. Nohl Canyon Elementary School
7. Running Springs Elementary School
8. Serrano Elementary School
9. Taft Elementary School
10. Villa Park Elementary School
11. Cerro Villa Middle School
12. Yorba Middle School
13. Richland Continuation High School

**Item 13.B. Student Enrollment at “Build-Out”**

On August 20, 2009, the Board received two information items: 13.A. *Enrollment Projections Update* and 13.B. *Discussion on the Sale and/or Lease of Surplus Property*. In the ensuing discussion, staff was directed to develop long range student demographic projections. Developing long-range demographic projections, as of a specific future date, becomes more elusive over time due to fluctuating economic factors and population trends. To provide a reasonable level of assurance of accuracy, demographers avoid extremely long-range projections in favor of the stasis condition referred to as “build-out.” “Build-out” projections are not based on any specific target date. Instead they provide an analysis of a district’s likely enrollment once all vacant and appropriately zoned residential properties are constructed.

Staff presented a report on the likely demographic allocation of students in the District at “build-out.” The Board asked that staff bring back “ideas” for consideration regarding the surplus properties at a future meeting.

**14. CONSENT ITEMS**

**Motion No. 62**

It was moved by Mrs. Smith, seconded by Mrs. Nichols, and carried by a vote of 7-0 to approve the consent items.

**Item 14.A. Gifts**

The attached list of cash donations totaling \$97,089.55 was donated to the District for use as indicated. A letter of appreciation will be forwarded to the benefactors.

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

The Board approved the Purchase Order List dated November 23, 2009, through January 10, 2010 in the amount of \$3,208,356.71. See attached Purchase Orders Lists.

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**Item 14.C. Warrants List**

The Board of Education approved the Warrants List dated November 23, 2009 through January 10, 2010 in the amount of \$11,015,224.01. See attached Warrants List.

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

The following contract service was approved.

**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 3 increases the value of the contract and does not add any additional time to the contract. The scope was 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.....\$5,100

**Item 14.E. Acceptances of Completed Contracts and Filing of Notices of Completion**

The following contract was accepted by the Board:

Bid No. FC6017 – Modernization Project

Project:	Sycamore Elementary School
Original Board Approval:	May 22, 2008
Original Purchase Order:	807065, 903460, 903460-02, 903460-03, 903460-04, 101381
Completion Date:	November 25, 2009
Contractor:	Meadows Construction Services Inc
Original Contract:	\$ 5,299,000
Change Orders, #1 -13:	- 347,013
Total Project Amount:	\$ 4,951,987

Retention: 495,199

Additional Holdback\*: 693,495

\*(Stop Notices, Liquidated Damages, Other)

**Item 14.F. Approval of Agreement between Orange Unified School District and Centralia School District for Occasional Student Bus Transportation**

The Board authorized the Superintendent or designee to enter into a student bus transportation services agreement with Centralia School District.

**Item 14.G. Approval of E-Rate Telecommunications Contingent Contract with Time Warner Communications – Funding Year 13: July 1, 2010 to June 30, 2011**

The Board authorized the use of the E-rate Program and authorized the Superintendent and/or designee to submit applications and enter into contracts for Funding Year 13.

**Item 14.H. Approval of E-Rate Telecommunications Contingent Contract with AT&T – Funding Year 13: July 1, 2010 to June 30, 2011**

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The Board authorized the use of the E-rate Program and authorized the Superintendent and/or designee to submit applications and enter into contracts for Funding Year 13.

**Item 14.I. Personnel Report**

The Board approved the attached Personnel Report.

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

The Board approved the following contract services for Educational Services.

**KOCE-TV FOUNDATION**

School Districts are required to provide an equitable share of federal monies to the private schools within their attendance boundaries. KOCE-TV Foundation will conduct Broadcast Instructional Television Programming, Online Video Discovery Streaming and Training Resources for Teachers for the 2009-10 school year at St. John’s Lutheran School. These services will be used to provide technology resource tools for supplemental curriculum development and student use. (All fees and materials to be included.) Fiscal impact will be the expenditure of restricted categorical fund monies.

Title II, Part A.....not-to-exceed ... ..\$1,283

**MOTIVATIONAL PRODUCTIONS**

School Districts are required to provide an equitable share of federal monies to the private schools within their attendance boundaries. Motivational Productions will present a Character Education multimedia presentation for K-8 students, which challenge young people to make healthy choices and build strong character. Materials will be provided for pre and post presentations for the students at Holy Family Cathedral School in February 2010. Fiscal impact will be the expenditure of restricted categorical fund monies.

Title IV, Part A.....not-to-exceed..... \$587

**MUSIC MAKER STUDIO INC.**

Music Maker Studio Inc. will provide after school instrumental music instruction for students at Canyon Rim Elementary School during the 2009-10 school year.

Donation Account.....not-to-exceed.....\$11,000

**WEST ED**

WestEd will provide technical support, scantrons and data analysis of the required California Healthy Kids Survey. The survey will be administered in the spring of 2010 to a potential pool of 9,400 students across the following grade levels: 5, 7, 9 and 11. The cost is based on \$.30 per survey, not to exceed a total of \$3,000. WestEd will also provide school level and individual school reports to include non-public school reports at a cost of \$50 per report, not to exceed a total of \$2,500. In addition, WestEd will submit a final report on the findings of the survey. Fiscal impact will be the expenditure of restricted categorical fund monies.

Title IV & TUPE funds.....not-to-exceed .....\$5,500

**Item 14.K. Study Trips**

The following study trips were approved by the Board of Education:

Crescent Elementary – 5<sup>th</sup> Grade GATE Class – Ocean Institute – Dana Point – January 27-28, 2010

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The fifth grade students from Crescent Elementary School, under the direction of Sharon Cecchi, will travel to Dana Point on January 27 and return on January 28, 2010. The students will participate in a lab/cruise with activities that explore the world of nocturnal and deep-sea animal adaptations. 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 \$100 per student, and scholarships are available.

Crescent Elementary – 5<sup>th</sup> Grade GATE Class – Ocean Institute – Dana Point – January 28-29, 2010

The fifth grade students from Crescent Elementary School, under the direction of Jami Shields, will travel to Dana Point on January 28 and return on January 29, 2010. The students will participate in a lab/cruise with activities that explore the world of nocturnal and deep-sea animal adaptations. 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 \$100 per student, and scholarships are available.

Sycamore Elementary - 6<sup>th</sup> Grade Class – Cedar Crest – Running Springs - Outdoor Science School – February 23 - 26, 2010

The sixth grade students from Sycamore Elementary School, under the direction of Robin Ray, will participate in the Orange County Department of Education's Outdoor Science School program. This four-day program provides students an opportunity to study science in a natural setting. Students will have the opportunity to explore established trails, investigate geological features, observe wildlife and compare plant adaptations. Students will study the night sky through telescopes, participate in line and folk dances, create and perform science and nature skits. The curriculum at the camp is aligned with the California Science Content Standards and the California Science Framework. Students attending the program from each participating school are responsible for the program cost. There is no impact to the general fund. The student cost may be supplemented by funds donated from individual parent organizations. The cost will not exceed \$200 per student, and scholarships are available.

Handy Elementary - 6<sup>th</sup> Grade Class – Cedar Crest – Running Springs – Outdoor Science School – March 1 - 5, 2010

The sixth grade students from Handy Elementary School, under the direction of John McCarthy, 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 have the opportunity to explore established trails, investigate geological features, observe wildlife and compare plant adaptations. Students will study the night sky through telescopes, participate in line and folk dances, create and perform science and nature skits. The curriculum at the camp is aligned with the California Science Content Standards and the California Science Framework. Students attending the program from each participating school are responsible for the program cost. There is no impact to the general fund. The student cost may be supplemented by funds donated from individual parent organizations. The cost will not exceed \$325 per student, and scholarships are available.

Canyon Rim Elementary - 5<sup>th</sup> Grade Class – Riley's Farm – Oak Glen – April 22 - 23, 2010

The fifth grade students from Canyon Rim Elementary School, under direction of Aleshia Sacks, will travel to Riley's Farm on April 22-23. The students will have the opportunity to participate in a



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“living history adventure tour.” Students will be re-enacting past events in America’s history, with special attention to the Revolutionary War. Participation in this trip aligns to the California Standards for 5<sup>th</sup> grade History/Social Studies. 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 \$135 per student, and scholarships are available.

El Modena High School – Girls Varsity Softball Team – Bullhead City, AZ – March 11-13, 2010

El Modena High’s Varsity Softball Team, under the direction of Coach Steve Harrington, will travel to Bullhead City, by invitation, to participate in the Tournament of Champions Softball Tournament. El Modena High is one of forty state and/or nationally ranked teams invited to participate. Students will compete and showcase their talents in the presence of numerous college coaches recruiting and offering athletic scholarships. Sixteen female students will be accompanied by thirteen adult female and eight adult male chaperones and will stay at the Riverview Hotel, Bullhead City. Athletes will pay their own hotel costs. Transportation will be provided by parents who will have an approved District driver certificate on file prior to this trip. Students will miss two days of school. No substitute will be required.

Orange High School – Vocal Music – New York City, NY – April 14-18, 2010

*Note: A similar study trip was approved by the Board of Education on September 24, 2009. The original trip was for April 5-12, 2010, and included travel to Washington DC, Philadelphia, and New York City. Due to lack of funding, the trip has been revised and this item reflects the new dates, destination, and lower cost.*

Orange High’s Vocal Music students, under the direction of Mike Short, will travel to New York City to perform in concert at Carnegie Hall in a special performance of the *Music of Eric Whitacre*, conducted by Mr. Whitacre. Members of the choir will join with other outstanding choristers to form the Distinguished Concerts Singers International, a choir of distinction, accompanied by Distinguished Concerts Orchestra International. Students will also visit historic places including Ground Zero which will include a short performance. Twelve female and eighteen male students will be accompanied by three female and two male adult chaperones and will stay at the Edison Hotel, NYC. Transportation will be provided by United Airlines. District buses, funded by the Vocal Music Department, will provide transportation to and from the airport. The cost per student is \$1,350 and scholarships are available. Students will miss three days of school. A substitute will be required, funded by the Vocal Music Department.

Canyon High School - Girls Basketball Team - San Diego, CA July 15 - 18, 2010

Canyon High’s Girls Basketball teams under the direction of coaches Matt Dale and Casey Dumont, will travel to San Diego during summer break to participate in the San Diego Classic Basketball Tournament. The student athletes will have the opportunity to compete against top athletes from across the state in a highly competitive basketball atmosphere, as well as develop team building. Twenty-five female students will be accompanied by two male and eight female adult chaperones and will stay at the Embassy Suites, La Jolla. Parents will provide transportation for their student and any parent driving a student other than their own will have an approved District driver certificate on file prior to the trip. The cost per student is approximately \$225 and scholarships are available. Students will not miss any school days. No substitutes are required.

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**Item 14.L. Consolidated Application Part II 2009-10**

The Board approved the submission of the Consolidated Application Part II for the 2009-10 school year to the California State Department of Education. See attached Abstracts.

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

The Board received the Report of Uniform Complaints as mandated by the Williams and Valenzuela Case Settlements. No Uniform Complaints for any area have been reported during the second quarter

**Item 14.N. Expulsion of Student: Case No. 09-10-21**

The Board upheld the administrative recommendation.

**Item 14.O. Expulsion of Student: Case No. 09-10-22**

The Board upheld the administrative recommendation.

**Item 14.P. Expulsion of Student: Case No. 09-10-23**

The Board upheld the administrative recommendation.

**Item 14.Q. Expulsion of Student: Case No. 09-10-24**

The Board upheld the administrative recommendation.

**Item 14.R. Expulsion of Student: Case No. 09-10-25**

The Board upheld the administrative recommendation.

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

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

**THE CHILDREN’S THERAPY CENTER**

Services are required for the purpose of providing occupational and physical therapy to individuals with exceptional needs during the 2009-10 school year.

Special Education . . . . . not to exceed . . . . . \$12,950

**HBIC (HELP FOR BRAIN INJURED CHILDREN) DBA: CLETA HARDER DEVELOPMENTAL SCHOOL**

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

Special Education . . . . . not to exceed . . . . . \$16,000

01.00-6500-0-5870-5750-1110-207-207-000

**IRVINE THERAPY SERVICES, INC.**

Services are required for the purpose of student assessment and consultation and attendance at an Individual Educational Program (IEP) meeting during the 2009-10 school year.

Special Education . . . . . not to exceed . . . . . \$350

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**KAMAROFF & ASSOC.**

As the result of an agreement in OAH Case #N2009110339, the District agrees to reimburse parent for reasonable attorneys' fees upon presentation of itemized billing statements evidencing services rendered.

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

**ROBYN RAKOV, O.D.**

Services are required to provide vision therapy, assessments and consultation to students with special needs during the 2009-10 school year.

Special Education . . . . . not to exceed . . . . . \$2,800

**SUNBELT STAFFING SOLUTIONS**

Services are required to provide occupational therapy to special education students as required by law during the 2009-10 school year.

Special Education . . . . . not to exceed . . . . . \$62,500

**JANE R. VOGEL**

Services are required to provide assessments, consultations and/or related services to individuals with exceptional needs during the 2009-10 school year.

Special Education . . . . . not to exceed . . . . . \$15,000

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

No speakers

**16. OTHER BUSINESS**

None

**17. ADJOURNMENT**

By call of the chair, the meeting adjourned at 8:41 p.m.

  
Mark Wayland  
Clerk of the Board