

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

**Thursday • February 18, 2010
5:30 P.M. • Closed Session
7:00 P.M. • Regular Session**

MINUTES

1. CALL MEETING TO ORDER

Board Vice President Smith called the meeting to order at 5:35 p.m. (Mr. Ortega arrived at 5:45 p.m.)

2. ESTABLISH QUORUM

A quorum was established.

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

Board Members Absent: n/a

3. PUBLIC COMMENT ON CLOSED SESSION AGENDA ITEMS

The following individuals spoke on behalf of Josie Soto, who faces termination from the District:

1. Brady Bailo
2. Denise Zeman
3. Gina Grammas
4. Elke Leonard
5. Colleen Willis
6. Brenda Pharris
7. Christina Bayles

4. ADJOURN TO CLOSED SESSION

The meeting adjourned to closed session at 6:00 p.m. to discuss the following item:

- A. Public Employee Employment/Discipline/Dismissal/Release

5. CALL TO ORDER – REGULAR SESSION

Mr. Ortega called the meeting to order at 7:19 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 Superintendent or designee to provide notice of non-reelection to certificated temporary employees for the next succeeding year.

The Board authorized the Superintendent or designee to give notice of non-reelection to seven probationary certificated employees for the next succeeding school year.

The Board adopted the hearing officer's proposed decision dated February 1, 2010 to terminate a classified employee. The vote was 6-1 (No: Deligianni).

8. ADOPTION OF AGENDA

Motion No. 63

It was moved by Dr. Deligianni, seconded by Mr. Wayland, and carried by a vote of 7-0 to adopt the February 18, 2010 agenda.

9. ANNOUNCEMENTS AND ACKNOWLEDGMENTS

Item 9.A. Superintendent's Report

Dr. Dreier recognized a number of our elementary schools that were ranked by the Orange County Register as either gold, silver or bronze: **Gold:** Panorama, Chapman Hills, Villa Park Elementary, Serrano; **Silver:** Crescent Elem., Nohl Canyon, Imperial; **Bronze:** Linda Vista, Crescent Intermed., Anaheim Hills, Running Springs.

Dr. Dreier recognized Canyon High School for receiving a six-year accreditation by WASC. She noted a six-year accreditation is the best accreditation a high school can receive.

The District was notified by ACSA that Linda Stoterau was selected as Region 17's Administrator of the Year in the area of instruction and curriculum and qualifies to go on to the state competition. Dr. Dreier extended her congratulations to Mrs. Stoterau.

Dr. Dreier commented on the budget presentation that will be made by Mr. Christensen. She added that the process of going through what we should keep and no longer are able to keep is very painful. The process is always looking at 1) what is "mission critical" for our students, 2) what's important, but we could suspend for a while, and 3) what we no longer need to keep. As we face next year's budget, there are no easy solutions; they are all very painful and difficult.

Item 9.B. Board Presidents Report

Mr. Ortega informed the audience that the Greater Orange Community Organization Roundtable Steering Committee selected Dr. Dreier to be the recipient of their first annual Greater Person of the Year Award for the year 2009. Mr. Ortega noted that Dr. Dreier's outstanding work leading the District during the difficult budget year has most exemplified the award criteria of "the person whose actions most influenced the Greater Orange Community. Mr. Ortega presented the award to Dr. Dreier on behalf of the Greater Orange Community Organization.

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

(i) Barona Band of Mission Indians Education Grant – Olive Elementary School

Assemblyman Curt Hagman presented a "ceremonial" check for \$5,000 from the Barona Band of

Mission Indians to Olive Elementary.

Mrs. Nichols recognized Mrs. June Hawkins, an active community member for many years and the first female member to serve on the Orange Unified Board of Education, who passed at age 90 on February 4th.

(ii) Outstanding Employee of the Month

The Board of Education recognized Shelley Frauenberger, Instructional Coach at Handy and Prospect Elementary Schools, as the recipient of the Outstanding Customer Service Award for the month of February. On behalf of the Board of Education, Mr. Ortega presented a Certificate of Recognition to Mrs. Frauenberger.

Item 9.D. State of the School Report – El Modena High School

Mary Ellen Havana, SACBE Representative from El Modena High School, presented her state of the school report.

10. APPROVAL OF MINUTES

January 21, 2010 (Regular Minutes)

Motion No. 63

It was moved by Mr. Nichols, seconded by Mrs. Smith, and carried by a vote of 7-0 to approve the January 21, 2010 regular Board meeting minutes.

11. PUBLIC COMMENT: Non-Agenda Items

Speakers

Larry Cohn, Chair of Legislative Coalition, spoke regarding Senate Bill 64 which was recently brought to LegCo's attention and noted that would have drastic a effect on the District's revenues. SB 64 is an act to amend a section of the Budget Act. The bill refers to reducing the deficit factor to OUSD by approximately \$15 million in currently anticipated revenue. Mr. Cohn stated that Legislative Coalition would be pleased if the Board would study the consequences of SB 64 as it relates to OUSD and give them the ability to discuss SB 64 with legislators during their Sacramento trip in March. Staff will prepare a resolution for the March 4th meeting to send to Sacramento.

The following individuals spoke in support of the District's elementary music program and not to eliminate it:

1. Kevin Weed
2. Angel LaMarca
3. Jay Johnson
4. Sandy Streeter
5. Jacob Stupin
6. Michael Schaeffer
7. Bette Hollenbeck
8. Kari Bannon

-
9. Lisa Stupin
 10. Charity Balliger
 11. Lupe Gaines
 12. Diana Flores

12. ACTION ITEMS

Item 12.A. Public Hearing and Adoption of Class Size Waiver Request

Due to the Governor's current budget projection and the need for as much flexibility to develop a balanced budget, the District desires to submit a request to the California Department of Education to waive portions of *California Education Code* relating to class size penalties for grades one through three and class size penalties for grades four through eight. The current approved 2010-11 district-wide class size average in grades one through three is 30:1. The current district-wide class size average in grades four through eight is 29.9:1. The District needs to have the flexibility to negotiate increased class sizes of up to 33:1 for grades one through eight, for a two-year period, beginning with the 2010-11 fiscal year. The cost savings to the District would be up to \$2,990,000 annually.

Public Hearing

The Board President closed the regular meeting of the Board of Education and opened the public hearing at 8:21 p.m.

Speakers

(There were three speakers, but only one filled out the Public Comment card – Kathy Lundberg.)

Kathy Lundberg, fifth grade teacher, commented on the struggle to get out of Program Improvement at her school. She added that increasing class sizes will make it more difficult for teachers who are already struggling with large classes.

Joe Gutierrez commented that increasing class sizes will not work.

Laurie Ann spoke in opposition to increasing class sizes.

Mr. Ortega responded that the sentiments spoken at the meeting should be taken to Sacramento, to the legislators, to make them aware of how these budget reductions are affecting school districts. He added that the decisions being made are not easy. These are difficult decisions and the state continues to make even further cuts.

The Board President closed the public hearing and reopened the regular Board of Education meeting at 8:38 p.m.

Motion No. 64

It was moved by Mrs. Smith, seconded by Mrs. Nichols, and carried by a vote of 7-0 to authorize the Superintendent or designee to submit a first through eighth grades class size waiver request to the California Department of Education.

Item 12.B. California School Boards Association – 2010 Delegate Assembly Election

California School Boards Association (CSBA), Region 15, is holding elections for the 2010 Delegate Assembly. The Board as a whole votes, submits one ballot and may vote for up to the number of vacancies in the region. Region 15 has nine vacancies. The Board may cast no more than one vote for any one candidate. The Board has received the biographical information on the candidates as provided by CSBA. Delegates serve two-year terms beginning April 1. They meet twice a year to conduct business and may also meet with the other Delegates and the Director within their Region.

The 2010 CSBA Delegate Assembly Nominees are:

Tammy Bullard*	Tustin USD
Shirley Carey*	Huntington Beach City SD
Debbie Cotton	Ocean View SD
Meg Cutuli*	Los Alamitos USD
Judith Franco*	Newport-Mesa USD
Matthew Harper	Huntington Beach Union HSD
Susan Henry*	Huntington Beach Union HSD
Nancy Kirkpatrick	Saddleback Valley USD
Kathryn Moffat	Orange USD
Esther Wallace*	Magnolia SD
Sharon Wallin*	Irvine USD
Jo-Ann Purcell	Westminster SD

* *Incumbent*

Motion No. 65

It was moved by Mrs. Smith, seconded by Mrs. Nichols, and carried by a vote of 7-0 to nominate the following individuals for the 2010 CSBA Region 15 Delegate Assembly.

Tammy Bullard*	Tustin USD
Shirley Carey*	Huntington Beach City SD
Meg Cutuli*	Los Alamitos USD
Judith Franco*	Newport-Mesa USD
Matthew Harper	Huntington Beach Union HSD
Susan Henry*	Huntington Beach Union HSD
Kathryn Moffat	Orange USD
Sharon Wallin*	Irvine USD

13. INFORMATION/DISCUSSION ITEMS

Item 13.A. Native American Program Presentation

Kirk Ellis, President of the Orange Unified School District Title VII Native American Program Parent Advisory Committee made a brief presentation to the Board to explain the purpose of the committee, its activities, and how Orange Unified students benefit from this federal program.

Item 13.B. Kaiser Permanente Insurance Rate Reduction

Due to the influx of employees who changed from the Health Net PPO/HMO insurance plan to the Kaiser HMO plan, Kaiser will provide a rate reduction credit to the District. As per the bargaining agreements, the reduction will be passed on to the employees enrolled in the Kaiser plan. New rates

will be reflected on employee payrolls beginning March 31st for certificated staff and April 10th for classified staff. At that time, employees will receive a cumulative six-month rate reimbursement and new, lower rates for the balance of the insurance contract period.

Item 13.C. Budget Update

Mr. Christensen gave a power point presentation regarding the budget. (See attached.) He noted that the presentation is posted on the District's web site.

14. CONSENT ITEMS

Motion No. 66

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

Item 14.A. Gifts

The following gifts and attached list of cash donations totaling \$66,088.09 was donated to the District for use as indicated. A letter of appreciation will be forwarded to the benefactors.

- 300 sets of magnetic letters and 100 sets of alpha sponge letters to La Veta ES, donated by Heather Krstich
- Two-door floral cooler to the Agriculture Department at Orange HS, donated by Phil Conzleman
- 25 full-size live trees to be dispersed through the McPherson Magnet School campus, donated by Village Nurseries
- 250 3-ring binders to Chapman Hills ES, donated by Ambassadors (Jackie Cranston)
- 100 17" LCD Gateway Monitors to replace old iMACs, donated by Orange County Social Services Agency

Item 14.B. Purchase Orders List

The Board approved the Purchase Order List dated January 11, through January 31, 2010, in the amount of \$695,840.21. See attached Purchase Orders Lists.

Item 14.C. Warrants List

The Board of Education approved the Warrants List dated January 11, 2010 through January 31, 2010 in the amount of \$6,009,686.34. See attached Warrants List.

Item 14.D. Contract Services Report – Administrative Services

The following contract service was approved.

APPLE COMPUTER CORPORATION PRICE AGREEMENT RENEWAL

In May 2009, the Board approved District utilization of Glendale Unified School District's (GUSD) piggy-backable Bid No. P13-08/09 between GUSD and Apple Computer Corporation for the procurement of computer products, services and related items. The agreement was renewed by GUSD for the first year option, valid through November 24, 2010. Accordingly, it is requested that use of this renewed agreement be approved. This is not a request for any additional budgetary appropriation.

BICKMORE RISK SERVICES

An annual evaluation of workers' compensation claims is needed to assess and develop actuarial projections of future fiscal liability. The report is also utilized by the District and underwriters to evaluate the best options available for coverage next year. 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

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 may cause land disturbance, potential run-off, and pollution. On July 23, 2009, the Board approved E2 Environmental to provide the services for the Yorba Middle School Modernization project to ensure full compliance with the SWPPP. Due to the excessively wet winter, there is a need to increase the dollar amount to complete this project.

Special Reserve/Capital Projects. . .not to exceed.....\$15,000

J.D. DIFFENBAUGH, INC.

The District awarded Bid No. FC6019 – Modernization – Yorba Middle School to J.D. Diffenbaugh, Inc., on June 18, 2009. Change Orders 1.b and 2.b, increase the value of the contract and do 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.....\$24,620

SOUTHWEST SCHOOL & OFFICE SUPPLY PRICE AGREEMENT RENEWAL

In January 2009, the Board approved District utilization of Placentia-Yorba Linda Unified School District's (PYLUSD) piggy-backable Bid No. 209-4 between PYLUSD and Southwest School & Office Supply for the procurement of office, classroom and arts & crafts supplies. The agreement was renewed by PYLUSD for the first year option, valid through November 4, 2010. Accordingly, it is requested that use of this renewed agreement be approved. This is not a request for any additional budgetary appropriation.

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

The following contract was accepted by the Board:

<u>Bid No. FC6017 – Modernization Project</u>	
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

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.G. Personnel Report

The Board approved the attached Personnel Report.

Item 14.H. Teacher Assignment/Consent Report

The Board approved the Teacher Assignment/Consent Report

Item 14.I. Contract Services Report – Educational Services

The Board approved the following contract services for Educational Services.

COLLABORATIVE LEARNING, INC

School Districts are required to provide equitable share of federal monies to the private schools within their attendance boundaries. Collaborative Learning Inc. will conduct two Curriculum Mapper Professional Development training sessions for teachers at St. Paul’s Lutheran School, plus web based critical components and tool training. This ongoing alignment to the curriculum will prevent gaps in the instructional process, training teachers to further review, refine and collaborate instruction to build success for students. Facilitator fees, materials and travel expenses to be included. Fiscal impact will be the expenditure of restricted categorical fund monies.

Title II, Part A.....not-to-exceed.....\$4,420

INSIDE THE OUTDOORS

Inside the Outdoors, a unique and hands-on environmental education program administered by the Orange County Department of Education, will conduct a “Traveling Scientist – Birds of Prey” program at California Elementary School, April 21, 2010 for California Elementary School’s Family Science Night. The curriculum created for the program is aligned with California Science and Social Science standards and allows students, with their parents, to interact with these concepts in a real world setting. Cost for the program will be funded by site Title I and EIA parent involvement funds. Fiscal impact will be the expenditure of restricted categorical fund monies.

FOLLETT DESTINY LIBRARY

The District will renew the current agreement with Follett to provide the Destiny Library and Textbook Manager, Maintenance, and Support software. Follett's Destiny Library and Textbook Manager is a centralized, web-based library automation system that provides school access from any computer in the District with an internet browser. The renewal agreement will be effective from March 2010 to March 2011.

Educational Services.....not-to-exceed.....\$14,000
Educational Technology..(Microsoft Settlement)..not-to-exceed.....\$22,073

PLATO LEARNING

Plato Learning, student software for individualized, standards-based instruction and assessment, is currently being utilized in our secondary credit recovery programs, Saturday School and our middle school Opportunities program. Even with alternating usage between the secondary schools, the District needs to purchase additional licenses to meet credit recovery needs for secondary students. The additional 120 licenses will also be used for a new alternative web-based credit recovery summer program. Training support for staff through on-site and virtual instruction is included.

Educational Services.....not-to-exceed.....\$127,650

SANTIAGO CANYON COLLEGE SCHOLASTIC APTITUDE TEST PREPARATION WORKSHOPS

The Santiago Canyon College will conduct two Scholastic Aptitude Test (SAT) Preparation Workshops on February 20, 2010, and April 17, 2010. Each workshop will consist of two consecutive Saturdays. The workshops will assist up to ten students per workshop with SAT testing preparation. The 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. The cost per student of \$94 per workshop 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.....\$1,880

Item 14.K. Study Trips

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

Crescent Elementary – 5thGrade GATE Class – Ocean Institute – Dana Point – January 27-28, 2010

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 – 5thGrade 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 - 6th 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 - 6th 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.

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

15. PUBLIC COMMENT: Non-Agenda Items

Larry Cohn commented on involvement with legislators in Sacramento. Legislative Coalition has been around for over 20 years and as a group tries to educate the community on legislation. He noted that only half of OUSD schools have representatives to Leg Co. He encouraged the schools to have a representative to be able to communicate back to their communities so that the District will have a louder voice in Sacramento.

16. OTHER BUSINESS

Mrs. Smith apologized for letting her emotions get in the way during Public Comment while listening to the comments regarding the elementary music program. She noted that she gets frustrated when public comment is made and then the speakers leave without listening to the follow-up budget presentations.

Mrs. Moffat requested that Race to the Top be added to the agenda at a future Board meeting to take a look at the position statement as posted on the web site. She noted that she thinks this is an item that should be brought before the Board in a public way with the Board having a chance to discuss it.

Mrs. Moffat requested modifications of the calendar for May, as she and Mr. Wayland will not be available for one of the meetings. Mr. Ortega responded that it is being looked at, taking into consideration the budget situation.

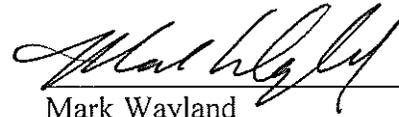
Mrs. Moffat announced that on March 12th, Orange Unified is having a community science night at Santiago Canyon College, a yearly event where students, teachers, parents and community members are invited to attend.

Mrs. Moffat noted that the Friendly Center has some openings in some grade levels for free after-

school tutoring programs.

17. ADJOURNMENT

By call of the chair, the meeting adjourned at 9:45 p.m.



Mark Wayland
Clerk of the Board