

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

*Teleconferencing with Board Member Melissa Smith*  
**1<sup>st</sup> Presbyterian Church  
700 N. Sheridan Road  
Lake Forest, IL 60045**

**Thursday • July 29, 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 John Ortega called the meeting to order at 5:30 p.m.

**2. ESTABLISH QUORUM**

A quorum was established. Board member Melissa Smith teleconferenced from Lake Forest, Illinois.

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

No Comment.

**4. ADJOURN TO CLOSED SESSION**

The meeting adjourned to closed session at 5:31 p.m. to discuss the following items:

A. Public Employee Employment/Discipline/Dismissal/Release

B. Conference With Labor Negotiators

Employee Organizations: 1) Orange Unified Education Association

2) California School Employees Association

Unrepresented Employees: Leadership Employees

C. PUBLIC EMPLOYEE APPOINTMENT

1) Title: Elementary School Principal (one position)

2) Title: Coordinator, Research & Assessment

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

Mr. Ortega called the meeting to order at 7:24 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 of Education took action to appoint Gwendolyn Greene to the position of Elementary School Principal and Christina Lin to the position of Coordinator, Research & Assessment, effective for the 2010-11 school year.

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The Board authorized the termination of a classified employee.

Dr. Dreier noted that all votes were by roll call, all Board members voting aye except for Trustee Smith who was absent.

#### **SUPPLEMENTAL OPEN SESSION ITEM**

**Item 12.C. Agreement with California Public Employees' Retirement System Health Plan to Provide Employee Health Insurance for 2010-11 and Approval of Resolutions 03-10-11, 04-10-11, and 05-10-11**

**Item 14.W. Resolution of the Board of Education of the Orange Unified School District in Connection with the June 10, 2010 Board Meeting and Teleconferencing**

Government Code section 54954.2(b)(2) allows the Board of Education to consider an item of business not appearing on the posted agenda. The agenda for this meeting was posted Monday, July 26, 2010. In order for the Board of Education to consider this matter, the Board members can vote to add the above noted items to the agenda.

#### **8. ADOPTION OF AGENDA**

##### **Motion No. 1**

It was moved by Mrs. Nichols, seconded by Mrs. Moffat, and carried by a vote of 6-0-1 (Absent: Smith) to adopt the July 29, 2010 agenda including Items 12.C and 14.W, as noted above.

*Per counsel's advice, there was no roll call for this motion due to the fact that there was no teleconferencing at the time.*

#### **9. ANNOUNCEMENTS AND ACKNOWLEDGMENTS**

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

Dr. Dreier noted that at the June 10, 2010 Board of Education teleconference meeting, no roll call votes were taken while one of the board members participated by teleconference. Although it was possible for the public to hear how all board members voted, including the member participating by teleconference, the Board tonight will adopt a resolution that reaffirms that all action taken at the June 10, 2010 meeting was carried by a vote of 7-0. Dr. Dreier added that in the future, including this meeting tonight, whenever one of the board members is participating by teleconference, roll call votes will be taken on each action item. Dr. Dreier asked legal counsel, Spencer Covert, to further address this matter.

Mr. Covert stated that it was an oversight that roll call votes were not recorded on those matters as indicated by Dr. Dreier. For those present at the meeting, the [phone] connection was excellent and everyone could clearly hear what Board member Nichols voted on as well as the members of the Board. The resolution will indicate that will be the process in the future as well as a recordation as to how the vote was at the June 10<sup>th</sup> Board meeting.

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

Mr. Ortega welcomed Dr. Gunn Marie Hansen to her first official meeting at Orange Unified School District. Dr. Hansen is the District's new Assistant Superintendent, Educational Services.

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

Mr. Wayland noted that he attended the Orange County Fair and was with the FFA (Future Farmers of America) students from Orange High School. He acknowledged the great representation from Orange High and the great job provided by the students.

Mrs. Moffat congratulated Lori Davis, Energy Manager, who achieved certification [in the field of energy savings] that she pursued on her own time and at her own expense for the benefit for not only her own skill building, but contributing those skills to our District.

**Item 9.D. COMMUNITY FOUNDATION OF ORANGE PRESENTATION**

The Orange Community Foundation Games were held this past spring at Fred Kelly Stadium. Sandra Brown, Chairperson of this event, provided an update on the Game's results and the advancement of the participating students to county, state and national levels. A video was presented that highlighted the event.

**10. APPROVAL OF MINUTES**

May 13, 2010 (Regular Minutes)

May 27, 2010 (Regular Minutes)

June 10, 2010 (Regular Minutes)

**Motion No. 2**

It was moved by Mrs. Nichols, seconded by Mr. Wayland, and carried by a vote of 6-0-1 (Absent: Smith) to approve the minutes of the meetings as noted above.

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

**Speakers**

Russell North, Senior Project Manager with J.D. Diffenbaugh, Inc., the general contractor awarded the Yorba Middle School modernization project, spoke as a follow-up to his comments he made at the June 10<sup>th</sup> meeting regarding a number of concerns and issues at the site. Mr. North acknowledged Mr. Christensen as he noted that for the "first time in over 12 months while being staged on this project .....Mr. Christensen respectfully listened [to Mr. North], noted issues and concerns, asked pointed questions to make sure there was a clear understanding....all conducted in a very professional manner." Mr. North expressed his appreciation to Mr. Christensen and said he was very encouraged that relations will improve.

**12. ACTION ITEMS**

**Item 12.A. Tentative Agreement between Orange Unified School District and California School Employees Association, Chapter #6 7, for 2010-11 Negotiations**

Under the terms of the Collective Bargaining Agreement, the parties agreed to reopen Article 12 for

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reopener negotiations for 2010-11. The Tentative Agreement concludes reopener negotiations between the Orange Unified School District and the California School Employees Association, Chapter #67, for the 2010-11 school year. It is anticipated that the recommended reductions will result in an annual savings to the District of approximately \$1,065,947.

**Motion No. 3**

It was moved by Mrs. Nichols, seconded by Mr. Wayland, and carried by a vote of 6-0-1 (Absent: Smith) to ratify the Tentative Agreement between the Orange Unified School District and the California School Employees Association, Chapter #67.

**Item 12.B. Advisory Position to the Orange County Committee on School District Organization on the Proposed Transfer of Territory**

**Speakers**

Deborah Johnson addressed the Board of Education on behalf of the Intercanyon League and expressed their desire to transfer to Saddleback Valley Unified School District. She noted that they collected 542 signatures out of the 1,184 registered voters in the Canyon in support of the transfer and the desire to preserve the community.

**Introduction**

On September 24, 2009, the Board received a presentation from Deborah Johnson, Ph.D., president of the Inter-Canyon League, requesting Board of Education support in transferring the canyon community, including Silverado, Modjeska, Williams, Harding, Ladd, and Black Star Canyons to Saddleback Valley Unified School District. On November 12, 2009, the Board received a staff presentation on the impact of the request. No action was taken by the Board of Education nor was a recommendation submitted by staff concerning this territory transfer.

In keeping with the Education Code, the Inter-Canyon League circulated a petition to the residents of the area they propose be transferred to Saddleback Valley Unified School District. The petition was validated by the County Registrar of Voters and a hearing was scheduled on August 4, 2010, at Chapman Hills Elementary School, where the Orange County Committee on School District Organization will hear testimony on the territory transfer request.

Mike Christensen provided background information on the proposed transfer of territory and remarked on the impact the transfer will have if the transfer were to be approved.

Mr. Christensen noted that the Board is not required to take any action on the proposed transfer. However, the Board may choose to provide an advisory position to the County Committee. The advisory position may be for the denial or approval of the request, or a neutral position.

*Mrs. Smith joined the meeting by teleconference at 7:50 p.m.*

**Board Discussion**

The Board members individually expressed their views on the proposed transfer of property. It was noted by all that they opposed the unilateral transfer of territory as that decision should be made by the vote of the residents in that area.

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**Motion No. 4**

It was moved by Mrs. Smith and seconded by Mrs. Nichols to take a position to oppose the proposed transfer of property of the Silverado Canyon area in Orange Unified School District to Saddleback Valley Unified School District and to allow staff to attend on the District's behalf.

Roll Call Vote:

Deligianni	Yes
Ledesma	Yes
Moffat	Yes
Nichols	Yes
Smith	Yes
Wayland	Yes
Ortega	Yes

*Motion No. 4* carried by a vote of 7-0.

**Item 12.C. Agreement with California Public Employees' Retirement System Health Plan to Provide Health Insurance for 2010-11 and Approval of Resolutions**

**Speakers**

1. Whitney Amsbary, OUEA President, expressed appreciation to the Board for its willingness to consider and approve the Insurance Committee's recommendation for a change in the health benefits provider.
2. John Miller, CSEA President and Insurance Committee member, asked for the Board's support to pass Item 12.C., to approve the agreement with CalPERS Health Plan to provide insurance.

**Introduction**

On May 8, 2008 the Board of Education authorized Keenan & Associates to negotiate an appropriate agreement to obtain insurance benefits for the employees and retirees of the District. In accordance with standard procedures, Keenan & Associates issued a Request for Proposal (RFP) to several carriers. California Public Employees Retirement System (CalPERS) responded with a competitive and comparable proposal to Health Net of California, the current provider for medical benefits for employees and retirees of the District. In addition to a very competitive rate, CalPERS provides three HMO plans through Kaiser Permanente and Blue Shield of California and three PPO plans through Anthem Blue Cross. CalPERS also provides seven PPO/HMO plans for Medicare eligible retirees.

Article 2.321 of the OUEA Contract provides that the Benefits Committee shall decide upon plans, including bids from other providers for new plans and benefits within the maximum costs figures set forth in the contract. Article 12.400 of the CSEA Contract also provides that employees eligible for health and welfare benefits shall be provided plans which have been determined by the Joint Employee Benefits Committee within the costs limits set forth in the contract. Accordingly, on July

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26<sup>th</sup>, the CSEA Joint Employee Benefits Committee determined CalPERS to be the health insurance provider for employees eligible for health and welfare benefits for the 2010-11 benefit year subject to the costs limits comparable plans which are contained in the CSEA Contract. On July 27<sup>th</sup>, the OUEA Benefit Committee also determined CalPERS to be the health insurance provider for employees and retirees who are eligible for 2010-11 subject to the health care caps.

During the District's negotiation process with OUEA and CSEA, it was the consensus of the bargaining unit insurance committees to replace Health Net of California with CalPERS. The agreement with CalPERS will provide a savings to employees of approximately \$1.2 million in their health and welfare premiums for 2010-11.

**Discussion**

Board member discussion took place. Due to the short 24-hour notice of the addition of this item to the Board Agenda, and due to concern that employees had not been apprised of the insurance plan, Mrs. Moffat moved to schedule a special meeting for next week.

**Motion No. 5**

It was moved by Mrs. Moffat and seconded by Mrs. Nichols that a special meeting be scheduled for next Monday or Tuesday where the only item would be this item to allow time to elapse so that other notifications or letters can be received so that the community will have had a longer notice that this is being voted upon.

Roll Call Vote:

Deligianni	No
Ledesma	No
Moffat	Yes
Nichols	No
Smith	No
Wayland	No
Ortega	No

*Motion No. 5* failed to carry by a vote of 1-6 to hold a special meeting.

**Motion No. 6**

It was moved by Mrs. Nichols and seconded by Mr. Ledesma to approve Resolutions 03-10-11, 04-10-11, and 05-10-11 and authorize the Superintendent or designee to enter into an agreement with CalPERS to provide health benefits for all eligible employees and retirees for 2010-11.

Roll Call Vote:

Deligianni	Yes
Ledesma	Yes
Moffat	Abstain
Nichols	Yes
Smith	Yes
Wayland	Yes
Ortega	No

*Motion No. 6* carried by a vote of 5-1-1.

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### 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. The equity investments, which had greatly underperformed the anticipated portfolio pro forma at the time of last year's report, have recovered. The value of the portfolio is moving in step with the recovery being experienced by the overall stock market.

Mr. Christensen provided an update as to the allocation and performance of the investment portfolio through June 30, 2010.

### 14. CONSENT ITEMS

#### **PULLED ITEMS**

**Item 14.O – 14.T. Expulsion of Student: Case Nos. 09-10-61, 09-10-62, 09-10-63, 09-10-64, 10-11-01, 10-11-02 (Pulled by Mrs. Moffat)**

#### **Motion No. 7**

It was moved by Mrs. Nichols, seconded by Mrs. Smith to approve the consent items minus Items 14.O through 14.T.

#### Roll Call Vote:

Deligianni	Yes
Ledesma	Yes
Moffat	Yes
Nichols	Yes
Smith	Yes
Wayland	Yes
Ortega	Yes

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**Motion No. 7** 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 \$63,588.85 was donated to the District for use as indicated. A letter of appreciation will be forwarded to the benefactors.

- Target gift card for \$300 to be used for office supplies in the Information Services Department, donated by WestEd, Regional Educational Laboratory – Western Region
- Video Presenter to El Modena HS, donated by Henry David Gonzales
- White Board, student desks, file cabinets, folding table and office chairs to Orange HS, donated by Rancho Santiago Community College

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

The Board approved the Purchase Order List dated May 31, through June 30, 2010 in the amount of \$3,278,764.43 and the Purchase Order List dated July 1, through July 18, 2010 in the amount of \$7,575,481.11. See attached Purchase Orders Lists.

**Item 14.C. Warrants List**

The Board of Education approved the Warrants List dated May 31 through June 30, 2010 in the amount of \$5,082,161.76 and the Warrants List dated July 1, through July 18, 2010 in the amount of \$6,756,986.30. See attached Warrants List.

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

The following contract services for Administrative Services were approved:

**APSI CONSTRUCTION MANAGEMENT**

The Division of State Architect (DSA) approved the modernization plans for Lampson Elementary School under the District's Facilities Improvement Modernization Program. Review of constructability and estimating is needed for budgetary purposes. The District obtained proposals from three qualified firms. APSI Construction Management has the qualifications and experience to provide these services and provided the least expensive proposal.

Special Reserve/Capital Projects...not to exceed.....\$30,000

**BLACKBOARD CONNECT**

Blackboard Connect is a school-to-home communications network and safety system built for K-12 schools that enables schools to contact parents throughout the year regarding important school events, safety updates and activities through its Outreach and Crisis Communication components. Blackboard Connect provides an effective, affordable, and easy-to-use way for schools to improve and expand their outreach communication capabilities to parents, students and faculty. There is an annual fee of \$1.99 per student and includes unlimited use and technical support through June 30, 2011.

Information Services.....not to exceed.....\$59,498

**DOLINKA GROUP**

The District receives revenue from various Redevelopment Agencies on numerous Project Areas



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throughout the District. It is prudent to audit the Agencies apportionment calculations and payments to verify that the appropriate amounts are remitted to the District. The Dolinka Group has the expertise and experience to provide this service.

General Fund.....not to exceed.....\$50,000

**EAGLE SOFTWARE**

The contract with AERIES was originally approved on the May 27, 2010, Board Agenda in the amount of \$30,832. Due to a calculation error it is necessary to increase this contract by \$3,368. This agreement provides maintenance and support for student information system, including telephone support, updates and enhancements for all sites through June 30, 2011.

Information Services.....*revised* not-to-exceed.....\$34,200

**HARRINGTON GEOTECHNICAL**

Canyon Rim Elementary School has experienced drywall cracking in non-structural walls indicating possible building movement. There is a need to have continued monitoring through 2010-2011 fiscal year. Harrington Geotechnical Engineering is a qualified engineering firm needed to continue monitoring.

General Fund.....not-to-exceed..... \$4,000

**HARRINGTON GEOTECHNICAL**

The District needs to retain the services of a civil engineering firm to continue subsidence monitoring at Linda Vista Elementary School. Earth movement, due to expansive soils, has caused movement and cracking of the slab. This contract will allow the continued monitoring of the school for a period of one year to ascertain any further movement in the building. Harrington Geotechnical Engineering has the experience and availability to provide these services for the fiscal year July 1, 2010 thru June 30, 2011.

General Fund.....not-to-exceed.....\$12,000

**HARRINGTON GEOTECHNICAL**

In 2005-06 hillsides in the area around Nohl Canyon had a few problems with earth movements. Cracking was noticed in exterior walls at Nohl Canyon Elementary School and on concrete flatwork throughout the site. Harrington Geotechnical did the initial subsidence monitoring for the district and is a qualified engineering firm that needs to continue monitoring for the 2010-2011 fiscal year.

General Fund.....not-to-exceed..... \$10,000

**J.D. DIFFENBAUGH, INC**

The District awarded Bid No. FC6019 – Modernization – Yorba Middle School to J.D. Diffenbaugh, Inc., on June 18, 2009. Change Order 2.g increases the value of the contract and does not add any additional time to the contract. The cost and scope were reviewed and found to be reasonable by the architect, construction manager and staff. This Change Order falls within the allowable maximum per the Public Contract Code.

Special Reserve/Capital Projects.....\$5,667

**KEENAN & ASSOCIATES**

The federal government, through the Department of Health & Human Services, has established an Early Retiree Reinsurance Program (ERRP) that will reimburse employers for a portion of the cost of

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insurance and medical care for pre-65 retirees. The Program has limited funding, and reimbursements will be awarded based on the earliest date of submission. Keenan originally proposed to charge a fee plus 10% of the reimbursement amount as their compensation for facilitating the Program for the District. Because there is no guarantee that any money will be received by the District, Keenan has agreed to provide the services necessary to submit the District's application on a contingency basis. This agreement will compensate Keenan 10% of the Program funds after they are received by the District.

Retiree Benefit Fund ..... 10% of ERRP Funds Received

**NYBERG ARCHITECTS**

The District requires design services which include architectural drawings, electrical drawings, and specifications to obtain Division of State Architects (DSA) approval for the installation of two portables at El Rancho Middle School. Nyberg Architects has the experience and qualifications to provide these services.

Special Reserves Fund.....not-to-exceed.....\$13,915

**NYBERG ARCHITECTS**

The District requires design services which include architectural drawings, electrical drawings, and specifications to obtain Orange County Health Care Agency approval of a food service portable at Fairhaven Elementary School. Nyberg Architects has the experience and qualifications to provide these services.

Special Reserves/Capital Projects .....not-to-exceed....\$5,142

**OCDE**

The Orange County Department of Education, in conjunction with the educational agencies in the County, entered into a Joint Powers Agreement Concerning Mail Delivery (Agreement) on June 29, 1998. On May 26, 2010, the Executive Committee of the Courier Services JPA approved draft revisions to the Courier Joint Powers Agreement (JPA) which included the need to change the timing of reports, invoices and payments from districts to coincide with budget cycles. Amendment No. 1 to the Joint Powers Agreement for Mail Delivery includes the following changes: 1) Section 7 Treasurer/Auditor - changes the written verification and reporting to four times a year as determined by the Executive Committee; 2) Section 9 Payments - (a) on or before June 30, the Executive Committee shall reevaluate the cost of the delivery service and determine the amount payable by the participants for delivery services for the ensuing fiscal year; (b) preparation of invoice for the delivery services and invoice submitted to each participant prior to July 31 of each fiscal year. There are no additional costs associated with this Amendment.

**PRIEST CONSTRUCTION SERVICES, INC.**

The Department of the State Architect (DSA) requires a certified inspector of record to inspect all school construction projects. The District needs the services of a DSA certified inspector to provide inspections during the installation of two portable classrooms at El Rancho MS and the installation of one portable classroom at Palmyra ES. Their assistance is also needed in closing out DSA applications in connection with various construction projects. Priest Construction Services is qualified and can provide the on-site inspections for all projects.

Various Funds.....not to exceed.....\$34,390

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**SANDY PRINGLE & ASSOCIATES INSPECTION CONSULTANTS**

The Department of State Architect (DSA) requires a certified inspector of record to assist the District in closing out DSA applications in connection with various construction projects. Sandy Pringle is an approved inspection company and can provide this service.

Capital Facilities Fund..... not to exceed.....\$5,500

**SMITH-EMERY LABORATORIES**

The District requires inspection and material testing services for modernization projects, plus occasionally requires inspections and testing at various sites. Smith-Emery Laboratories has provided these services for the Yorba Middle School modernization project and is available to provide services at various sites as requested. Fees are based on an hourly basis and include laboratory testing, as needed.

Special Reserve/Capital Projects..... not to exceed.....\$40,000

**CULVER NEWLIN, INC/CONCEPTS SCHOOL AND OFFICE FURNISHINGS/NMUSD  
BID No. 106-10**

Public Contract Code Section 20118 allows school districts the opportunity to utilize competitively bid contracts from other public agencies. Newport-Mesa Unified School District's (NMUSD Bid No. 106-10 for school and office furniture, awarded to Culver Newlin Inc. and Concepts School and Office Furnishings, provides competitive pricing and has been made available for use to all public agencies and school districts. Staff has determined that it is in the best interest of the District to utilize Bid No. 106-10 between NMUSD and Culver Newlin Inc. and Concepts School and Office Furnishings, inclusive of future contract renewal options, through May 26, 2015, for the acquisition of school and office furniture. This is not a request for any additional budgetary appropriation. Expenditures are made from all sites, programs, and department budgets.

**IPC (USA), INC. / MULTI-DISTRICT COOPERATIVE BID NO. 114-10**

Multi-District Cooperative Bid No. 114-10 is for the purchase of gasoline and diesel fuel. School districts participating in the cooperative bid are: Anaheim City, Anaheim Union High, Fullerton City, Huntington Beach Union High, Newport-Mesa Unified, Orange Unified, and Placentia-Yorba Linda Unified. As required by Public Contract Code, Newport-Mesa Unified School District acting as the lead district, advertised in the Orange County Register on May 25 and June 1, 2010. In addition to the required Public Notice, nine vendors were notified. Six vendors submitted bids which were opened on June 15, 2010 at 10:00 a.m. Because fuel prices fluctuate daily, the bid prices are calculated by using the Oil Price Information Service (OPIS), a weekly publication of current prices and the discount offered by the successful bidder. Expenditures are made from the Transportation Department on a charge back basis for sites, program and other department budgets. It is recommended that the Board of Education award Bid No. 114-10 - to the lowest qualified bidder, IPC (USA), Inc. for the period August 1, 2010 through July 31, 2013.

General Fund..... not to exceed.....\$650,000

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

The Board accepted the contract(s) as completed, authorized staff to file appropriate notice(s) of completion and release the retention payment(s) to the contractor(s) as follows:

**Bid No. FC 6019 – Phase 1 - Modernization**

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Project(s):	Yorba MS Modernization
Board Approval:	July 1, 2009
Purchase Order:	100796
Completion Date:	October 16, 2009
Contractor:	JD Diffenbaugh Inc.
Original Project Amount:	\$ 633,219
Change Order(s) Amount:	\$ 41,597
Total Project Amount:	\$ 674,816
Fund(s):	Special Reserves (40)

**Bid No. 592 – Replacement of Fire Alarm System**

Project(s):	Canyon High School
Bid/Project Board Approved:	June 21, 2007
Contractor:	Minako America Corporation dba Minco Construction
Purchase Order:	801030
Completion Date:	December 31, 2007
Original Project Amount:	\$ 417,800.00
Change Order(s) Amount:	\$ 23,754.44
Total Project Amount:	\$ 441,554.44
Fund(s):	Deferred Maintenance (14)

**Item 14.F. Agreement with Rancho Santiago Community College District for 2010-13 Establishing the Hourly Rate for Use of OUSD Facilities**

The Board authorized the Superintendent or designee to enter into an Agreement with the Rancho Santiago Community College District for the hourly use of District classrooms. The proposed agreement will allow RSCCD to use District classrooms during the 2010-11 fiscal year for \$12.97/hour per room.

**Item 14.G. Declaration of Surplus Items**

The Board declared the items listed and described as surplus and approved the public and private disposition of the surplus items in accordance with Education Code Section 17545 and Board Policy 3270. See attached list.

**Item 14.H. Resolution No. 01-10-11: Signature Authorization**

The Board adopted Resolution No. 01-10-11 granting signature authorization for specific District administrative/leadership employees as indicated on the attached document.

**Item 14.I. Personnel Report**

The Board approved the attached Personnel Report.

**Item 14.J. Study Trips**

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

Orange High School – Varsity Boys Water Polo Team - Poway, CA – September 10-12, 2010  
Orange High's Varsity Boys Water Polo Team, under the direction of Jennifer Visconti, will to travel

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to Poway to compete, by invitation only, in the Poway Invitational and will represent Orange High outside of the CIF-Southern Section. This opportunity will broaden the athletic view of competition not normally experienced 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 female and one male adult chaperone and will stay at the Best Western Inn, Miramar. Parents will provide transportation for their child. Total cost per student is \$140 and scholarships are available. Students will miss one day of school. A substitute will be required.

Cerro Villa Middle School - Sailing Club – Catalina Island – March 26–March 27, 2011

Cerro Villa's Sailing Club, under the direction of Cynthia Higley, will travel to Catalina Island (Saturday-Sunday) to participate in sailing instruction on the Tole Mour, the largest sailing school vessel on the West Coast. Students will be immersed in science, sail training and team building. Classes will include hands-on experiences based upon the running of a sailing ship and the scientific study of the waters they sail through. Sail training instruction is aligned with the guidelines set by the American Sail Training Association. Sixteen female and sixteen male students will be accompanied by two female and two male adult chaperones and will stay in onboard cabins. Transportation will be provided by District bus to Rainbow Harbor, Long Beach. Total cost per student is \$300. At this time scholarships are not available. Students will not miss any school days. No substitute is required.

Orange High School – Cheer Squad - San Diego– August 1-4, 2010

*This study trip was originally board approved on June 10, 2010; however, the Cheer Squad will be under the direction of Carrie Ferrano, not Carrie Woodson as previously approved.*

Orange High's Cheer Squad, under the direction of Carrie Ferrano, will travel to University of San Diego during summer break to participate with high schools from around the country in cheer skills, practice, safety and training. They will engage in learning activities, develop team building communication, leadership skills, and gain physical conditioning experience, strength and flexibility. Twenty-three female students will be accompanied by four female chaperones and will stay in USD dormitories. Transportation will be provided by District bus, reimbursed by ASB. Total cost per student is \$400 and scholarships are available. Students will not miss any school days. No substitute is required.

**Item 14.K. Resolution No. 02-10-11: Acceptance of Funds for 2010-11 California State Preschool Programs**

The Board adopted Resolution No. 02-10-11 accepting child development funds in the amount of \$872,746 for the 2010-11 fiscal year. Funds are provided through grants awarded to the District for low income families to receive part-day preschool services at Fairhaven, Jordan, and Sycamore Elementary Schools and full-day at the Child Development Center on the Parkside campus.

**Item 14.L. Fourth Quarter Report of Uniform Complaints for the Williams & 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.M. Textbook Adoptions – 30-Day Review by Public**

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The Board place the attached list of textbooks on display for the 30-day review period to be considered for adoption at the August 26<sup>th</sup> Board meeting.

**Item 14.N. Textbook Adoptions – Final**

The Board adopted the attached list of textbooks for the District.

**Item 14.O. Expulsion of Student: Case No. 09-10-61**

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

**Item 14.P. Expulsion of Student: Case No. 09-10-62**

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

**Item 14.Q. Expulsion of Student: Case No. 09-10-63**

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

**Item 14.R. Expulsion of Student: Case No. 09-10-64**

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

**Item 14.S. Expulsion of Student: Case No. 10-11-01**

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

**Item 14.T. Expulsion of Student: Case No. 10-11-02**

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

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

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

**BRAILLE-KEY TRANSCRIBING, INC.**

Services are required to transcribe student textbooks into Braille for visually impaired students during the 2010-11 school year.

Special Education . . . . . not to exceed . . . . . \$8,000

**CINNAMON HILLS**

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 . . . . . \$5,500

**COMPREHENSIVE EDUCATION SERVICES (ACES)**

Services are required for the purpose of providing behavior intervention to individuals with exceptional needs during the 2010-11 school year.

Special Education . . . . . not to exceed . . . . . \$8,000

**DEVEREUX FOUNDATION-TEXAS**

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

Special Education . . . . . not-to-exceed . . . . . \$7,000

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**HARBOTTLE LAW GROUP**

Services are required to assist the District in litigation of ongoing special education matters during the 2010-11 school year.

Special Education . . . . . not to exceed . . . . . \$100,000

**LAW OFFICES OF KATHLEEN M. LOYER**

As the result of an agreement in OAH Case No. N20090510017, the District will reimburse the parent of a special education student in satisfaction of educational costs and attorneys' fees.

Special Education . . . . . not to exceed . . . . . \$55,000

**LAW OFFICES OF NADER "NICK" DAVAEI**

As the result of an agreement in OAH Case No. N20100050042, the District will reimburse the parent of a special education student in satisfaction of educational costs and attorneys' fees.

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

**MICHIGAN BRAILLE TRANSCRIBING**

Services are required to transcribe student textbooks into Braille for visually impaired students during the 2010-11 school year.

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

**SAN JOAQUIN COUNTY OFFICE OF EDUCATION**

Creation of a link in the Special Education Information System (SEIS) for the purposes of tracking, storing and reporting student data.

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

**LEANN SCHOUTEN**

Services are required for the purpose of providing speech assessments, consultation and direct services to individuals with exceptional needs during the 2009-10 school year.

Special Education . . . . . not to exceed . . . . . \$375

**Item 14.V. Memorandum of Understanding between the Orange County Superintendent of Schools and the Orange Unified School District for 2010-11**

The Board authorized the District to enter into the Memorandum of Understanding between the Orange County Superintendent of Schools and the District. The proposed Memoranda of Understanding will provide District SELPA participation in the Special Schools Program within the Orange County Department of Education as deemed necessary for special education students during the 2010-11 school year. The estimated billing for 2010-11 will be based on actual information for 2009-10 plus COLA as set forth in the most current state budget, plus any budgeting projections for step and column, and salary and benefit increases.

**Item 14.W. Resolution of the Board of Education of the Orange Unified School District in Connection with the June 10, 2010 Board Meeting and Teleconferencing**

At the June 10, 2010 Board of Education meeting, no roll call votes were taken while one of the board members participated by teleconference. Although it was possible for the public to hear how all board members voted, including the member participating by teleconference, Resolution No. 06-

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10-11 reaffirms that all action taken at the June 10, 2010 meeting was carried by a vote of 7-0.

**PULLED ITEMS**

Mrs. Moffat pulled Items 14.O. through 14.T. to draw attention that the Board has the unpleasant responsibility of taking actions in regards to students. She expressed concern that as a Board of Education we are doing the best we can in our District to involve parents of these students at an early enough stage so that some of these bad consequences can be avoided. Mrs. Moffat stated that she is encouraged that most of these students will stay within our District at the Community Day School. She asked for more information about how the District involves parents, involves community resources, and energizes and utilizes SARB.

**Motion No. 8**

It was moved by Mrs. Moffat and seconded by Mrs. Nichols to approve the pulled items as noted below.

Roll Call Vote:

Deligianni	Yes
Ledesma	Yes
Moffat	Yes
Nichols	Yes
Smith	Yes
Wayland	Yes
Ortega	Yes

*Motion No. 8* carried by a vote of 7-0 to approve the pulled items.

**Item 14.O. Expulsion of Student: Case No. 09-10-61**

The Board upheld the administrative recommendation.

**Item 14.P. Expulsion of Student: Case No. 09-10-62**

The Board upheld the administrative recommendation.

**Item 14.Q. Expulsion of Student: Case No. 09-10-63**

The Board upheld the administrative recommendation.

**Item 14.R. Expulsion of Student: Case No. 09-10-64**

The Board upheld the administrative recommendation.

**Item 14.S. Expulsion of Student: Case No. 10-11-01**

The Board upheld the administrative recommendation.

**Item 14.T. Expulsion of Student: Case No. 10-11-02**

The Board upheld the administrative recommendation.



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

None

**16. OTHER BUSINESS**

Mr. Ledesma commended and thanked Mr. Christensen for a job well done with his handling of the J.D. Diffenbaugh, Inc. project at Yorba Middle School and his responding to Mr. North.

Mr. Wayland commended staff for the amazing amount of work being done at the Yorba Middle School project. He has stopped by quite often.

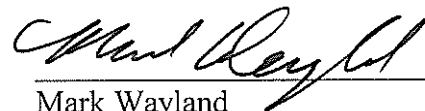
Mrs. Moffat congratulated Mr. Christensen and expressed appreciation to Mr. North for his complimentary remarks for Mr. Christensen.

Mrs. Smith thanked the Board of Education, community and staff for making accommodations to allow her to be a part of the school board meeting as she needed to travel for work. She added she was grateful for the opportunity.

Mr. Ortega congratulated staff and commended the employee associations in appreciation for all the employees coming together with CalPERS. He wished everyone well and reiterated that he supported the decisions. It will benefit the employees.

**17. ADJOURNMENT**

By call of the chair, the meeting adjourned at 9:30 p.m.



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Mark Wayland  
Clerk of the Board