

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

*Teleconference with John Ortega
Aston at the Maui Banyan
Lobby
2575 South Kihei Road
Kihei, HI 96753*

**Thursday • August 13, 2015
6:00 P.M. • Closed Session
7:00 P.M. • Regular Session**

MINUTES

Board President Ortega participated in the meeting via teleconference. Board Vice President Surridge conducted the meeting.

1. CALL MEETING TO ORDER

Board Vice President Surridge called the regular meeting to order at 6:18 p.m.

2. ESTABLISH QUORUM

It should be noted that Mrs. Singer resigned her position effective July 31, 2015, having moved out of Trustee Area 1.

A quorum was established.

Board members present: Deligianni, Moffat, Ledesma, Surridge, Wayland

Board member absent: Ortega

SUPPLEMENTAL CLOSED SESSION AGENDA ITEM

4.D. CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Government Code 54956.8

Property: Walnut Avenue site located adjacent south of Santiago Middle School, Orange

Agency Negotiators: Orange Unified School District (Seller) Joe Sorrera, and Constance Schwindt, Atkinson, Andelson, Loya, Rudd & Romo; and Shopoff Land Fund II, L.P (Buyer)

Purpose: Instructions to negotiators concerning price and terms for the purchase of the identified Property

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,

August 10, 2015. In order for the Board of Education to consider this matter, the Board members can vote to add this item to the agenda. The action to add an item to the agenda requires a two-thirds vote of the board, or if less than two-thirds are present, a unanimous vote of those members present is required.

Motion No. 10

It was moved by Mr. Wayland, seconded by Dr. Deligianni to add Item 4.D. to the agenda based on the need to consider this matter and that the need for consideration came to the attention of the Board subsequent to posting the agenda.

Discussion

Mrs. Moffat expressed her concern that the need to add this closed session item did not take on “emergency characteristics.” She added that there was no notice to the public and the District has an obligation to the public to be transparent and to give time to know what is going to be voted on.

Mr. Christensen clarified that the company only has until August 17 to decide what action they are going to take and the buyer wants an additional 30 days. The District’s contract with them said they could request the extension, but they did not make the request until late yesterday.

Mr. Surrige agreed with Mrs. Moffat’s comments and noted her points were well-taken. However, he noted that this item would be discussed in closed session and was not going to be a topic for discussion in open session. He was in support of adding this item because he thinks it is something that the Board should consider given the magnitude of the amount of money that could be towards benefiting our schools.

Mr. Ledesma does not think the firm evaluated the property well enough; they’ve come back twice already. He feels the Board is alluding that we are negotiating with them, which some of the other bidders will question.

Motion 10 failed to carry by a roll vote of 3-2-1 (Yes: Surrige, Wayland, Deligianni; No: Ledesma, Moffat; Absent: Ortega).

3. PUBLIC COMMENT ON CLOSED SESSION AGENDA ITEMS

No Speakers

4. ADJOURN TO CLOSED SESSION

The meeting adjourned to closed session at 6:24 p.m. to discuss the following items:

- A. PUBLIC EMPLOYEE EMPLOYMENT/DISCIPLINE/DISMISSAL/RELEASE
Government Code 54957
- B. PUBLIC EMPLOYEE APPOINTMENT
Title: Administrator K-12 Academic Content Design
- C. CONFERENCE WITH LABOR NEGOTIATORS
Agency Negotiators: Ed Kisse; Joe Sorrera; Gunn Marie Hansen, Ph.D.
Employee Organization: Orange Unified Education Association

5. CALL TO ORDER – REGULAR SESSION

Mr. Surridge called the regular meeting to order at 7:18 p.m.

Mr. Ortega participated by teleconference.

6. PLEDGE OF ALLEGIANCE

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

7. REPORT OF CLOSED SESSION DECISIONS

Mr. Christensen reported that the Board of Education took action to suspend a classified employee for seven work days without pay. The roll call vote was 4-1-1 (Yes: Deligianni, Ledesma, Moffat, Surridge; No: Wayland; Absent: Ortega).

The Board of Education took action to appoint Lisa Green to the position of Administrator, K-12 Academic Content Design. The roll call vote was 5-0-1 (Yes: Deligianni, Ledesma, Moffat, Surridge, Wayland; Absent: Ortega).

8. ADOPTION OF AGENDA

Motion No. 11

It was moved by Dr. Deligianni-Brydges, seconded by Mr. Ledesma, and carried by a roll call vote of 6-0 (Yes: Deligianni, Ledesma, Moffat, Ortega, Surridge, Wayland) to adopt the August 13, 2015 agenda.

9. ANNOUNCEMENTS AND ACKNOWLEDGMENTS

Item 9.A. Superintendent's Report

Mr. Christensen commented that the start of the school year is on August 26. It will be an amazing year with the return of the elementary art and music programs. The District is receiving approximately \$900,000 worth of instruments which will be distributed in the first couple of weeks of school. There is also the expansion of the career technical education offerings. A follow-up report will be brought forth at a subsequent Board meeting.

Item 9.B. Board Presidents Report

No Report.

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

Mrs. Moffat acknowledged Diane Singer who resigned her position as Trustee for Area 1 and recognized her service to the District and the employees. Mrs. Moffat said she held the highest regard for Mrs. Singer stating she was a person of action.

Mrs. Moffat complimented Dr. Hansen for the in-depth report she provided in the Friday letter regarding summer school.

10. APPROVAL OF MINUTES

None

11. PUBLIC COMMENT: Non-Agenda Items

Lori Kaylor stated that she is part of a group petitioning the OCDE to send a reminder to all Orange County school districts that they are legally obligated to notify parents/guardians of their legal right to opt out of all or part of standardized testing. The group will monitor Orange County school districts to ensure they fulfill this legal obligation.

Linda Cohn stated that her focus tonight was on action, specifically what the Board can do to understand the ramifications of Common Core to students in Orange Unified. She had six recommendations. She further elaborated on her opposition to Common Core.

12. ACTION ITEMS

Item 12.A. Process for Filling a Midterm Trustee Vacancy

Trustee Diane Singer resigned her seat on the Board of Education effective July 31, 2015. Ms. Singer was elected in 2014 and her term was to run until 2018. Per Education Code 5090, et seq., because the vacancy is more than six months before the next regularly scheduled governing board election, the Board shall, within 60 days of the vacancy, either order a special election or make a provisional appointment to fill the vacancy. A person appointed to fill a vacancy shall hold office until the next regularly scheduled election, whereupon an election shall be held to fill the remainder of the unexpired term.

Special Election

Based on information provided by the County of Orange Registrar of Voters office, the cost for a special election for the vacant trustee seat will cost between \$441,120 and \$499,162.

Provisional Appointment

Per Board Bylaw 9223, when authorized to make a provisional appointment, the District shall advertise in the local paper to solicit candidate applications or nominations. A committee consisting of less than a quorum of the Board shall ensure that applicants are eligible for Board membership and announce the names of the eligible candidates. The Board shall interview the candidates at a public meeting, accept oral or written public input, and select the provisional appointee by a majority vote.

Eligibility

Any person is eligible to be a Board member if he/she is 18 years of age or older, a citizen of California, a resident of the school District, a registered voter, resides within the subject trustee area (attached) and is not legally disqualified from holding civil office. Any person who has been convicted of a felony involving the giving, accepting, or offering of a bribe, embezzlement or theft of public funds, extortion, perjury, or conspiracy to commit any such crime, under California law or the law of another state, the United States of America, or another country, is not eligible to be a candidate for office or be a Board member except when he/she has been granted a pardon in accordance with law.

Petition for Special Election

Within ten days after the appointment is made, the Board shall post notices of the vacancy and the provisional appointment. The notice shall be published in the local newspaper once and posted in at least three public places within the District.

The notice shall contain:

- 1) The date of the occurrence of the vacancy and the effective date of the resignation;
- 2) The full name of the appointee;
- 3) The date of the appointment;
- 4) A statement notifying the voters that unless a petition calling for a special election pursuant to Education Code 5091 is filed in the Office of the County Superintendent of Schools within 30 days of the provisional appointment, it shall become an effective appointment.

Deadline

The deadline for the Board to make a provisional appointment is September 29, 2015. If no appointment is made by that date, the Orange County Superintendent of Schools will order a special election. The District will be responsible for the cost of the special election.

Proposed Action

In keeping with Board Bylaw 9223, staff placed an advertisement announcing the vacancy and soliciting candidate applications and/or nominations. The application/nomination period is advertised to open August 14, 2015 and close on August 28, 2015. Applications/nominations are to be submitted to the Superintendent's Office by 4:00 pm on the closing date. Applications/nominations received after the closing will not be considered. Throughout the application/nomination period, staff will provide the interested parties with the CSBA Candidate Information Sheet. Completed Candidate Information Sheets must be returned by September 4, 2015 at 4:00 pm.

Staff will work with OCDE Legal Counsel to determine the candidates who are eligible to serve based on the above referenced criteria. The eligible candidates' name(s) will be announced at the September 10, 2015 Board meeting.

Depending on the number of eligible candidates, interviews with the Board of Education will be scheduled for the weeks of September 14 and/or 21, 2015, to ensure that a provisional appointment may be made by September 29, 2015. Candidate Information Sheets for the eligible candidates will be provided to the Board of Education for review prior to interviews.

Motion No. 12

It was moved by Mr. Ortega, and seconded by Mr. Wayland, and carried by a roll call vote of 6-0 (Yes: Deligianni, Ledesma, Moffat, Ortega, Surridge, Wayland) to begin the process for making a provisional appointment by:

- 1) Approving the dates and process as proposed above
- 2) Approving the CSBA Candidate Information Sheet

Item 12.B. Business Services – Proposed Revisions to Board Policies – Second Reading

The District's Board policies are reviewed and updated periodically as new state and federal laws

and regulations are enacted. The following Board Policies were presented for a first reading at the July 23, 2015 meeting.

- BP 3100 Budget
- BP 3350 Travel Expenses
- BP 3470 Fund Balance Policy (*Delete*)

Motion No. 13

It was moved by Mr. Wayland, seconded by Mr. Ortega, and carried by a roll call vote of 6-0 (Yes: Deligianni, Ledesma, Moffat, Ortega, Surridge, Wayland) to receive the proposed Business Services Board Policy revisions for a second reading and approval.

Item 12.C. Educational Services – Proposed Revisions to Board Policies – Second Reading

The District's Board policies are reviewed and updated periodically as new state and federal laws and regulations are enacted. The following Board Policies were presented for a first reading at the July 23, 2015 meeting.

- BP 1250 Visitors/Outsiders
- BP 1325 Advertising and Promotion
- BP 5111 Admission
- BP 5113.1 Chronic Absence and Truancy
- BP 5125 Student Records
- BP 5144.1 Suspension and Expulsion/Due Process
- BP 5144.4 Required Parental Attendance (*new*)
- BP 6170.1 Transitional Kindergarten

Motion No. 14

It was moved by Mr. Ledesma, seconded by Mr. Ortega, and carried by a roll call vote of 6-0 (Yes: Deligianni, Ledesma, Moffat, Ortega, Surridge, Wayland) to receive the proposed Educational Services Board Policy revisions for a second reading and approval.

Mr. Ortega ended his participation in the meeting at 7:54 p.m.

13. INFORMATION/DISCUSSION ITEMS

Item 13.A. Substitute Teacher Supply/Rates

Board Policy and the District's Certificated Collective Bargaining Agreement require that the District maintain a suitable pool of substitute teachers in order to ensure sufficient coverage of classes in the event of teacher absences. State and national organizations are reporting that school districts have been experiencing a shortage of substitute teachers. Several school districts have responded to this shortage by raising substitute teacher rates. Mr. Kisse provided the Board with information regarding the supply of substitute teachers as well as comparative substitute teacher rates with other school districts.

14. CONSENT ITEMS

Motion No. 15

It was moved by Mr. Wayland, seconded by Mr. Ledesma, and carried by a roll call vote of 5-0-1 (Yes: Deligianni, Ledesma, Moffat, Surridge, Wayland; Absent: Ortega) to approve the consent items.

Item 14.A. Gifts

The following item and was donated to the District for use as indicated. A letter of appreciation will be forwarded to the benefactor.

- 100 American flags to be used by the community and schools as needed, donated by Mark Wayland

Item 14.B. Purchase Orders List

The Board approved the Purchase Order List dated July 2 through July 19, 2015 in the amount of \$5,061,445.52.

Item 14.C. Warrants List

The Board of Education approved the Warrants List dated July 1 through July 19, 2015 in the amount of \$5,986,905.33.

Item 14.D. Contract Services Report – Business Services

The following contract services were approved.

BEN'S ASPHALT INC., BID NO. 665

The District awarded Bid No. 665 – Asphalt Replacement at Villa Park High School to Ben's Asphalt Inc. on June 4, 2015. The following Change Order includes a general descriptive summary of work which increases the contract value. Cost and scope was reviewed and found to be reasonable by staff.

Change Order No. 1 – \$30,720 - No additional time.

Description: Filling large drainage ditches with a drainage pipe and connect to the City Storm Drain Structure. The result of this culvert construction resulted in the creation of 60 new parking stalls, widening of the access road to increase safety, and solved the safety issue of vehicles getting stuck in the ditch.

Deferred Maintenance Fund\$30,720

BEN'S ASPHALT INC., BID NO. 666

The District awarded Bid No. 666 – Asphalt Replacement at Canyon High School to Ben's Asphalt Inc. on June 4, 2015. The following Change Order includes a general descriptive summary of work which increases the contract value. Cost and scope was reviewed and found to be reasonable by staff.

Change Order No. 1 - \$32,740 – No additional time.

Description: Repair the asphalt near the food service area, walkway near the Varsity Baseball and Tennis Courts due to safety hazards.

Deferred Maintenance Fund\$32,740

ENVIRONMENTAL CONSULTING SOLUTIONS

The District requires the services of a qualified environmental consulting firm relating to asbestos, lead, microbial, indoor air quality testing and abatement for various district locations. Services will be on an, as needed basis, to continue to keep district environments safe and compliant with state regulations. District staff is satisfied with Environmental Consulting Solutions services and recommends the Board approve its services until June 30, 2016.

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

PCS REVENUE SYSTEMS

PCS REVENUE is a software system utilized by the Nutrition Services Department in each of the 40 Kitchen locations throughout the District. This software includes *RightNOW* POS & Meal Accountability processing in conjunction with the cash drawers, touch screens and other applicable equipment.

Fund 13 \$19,486

Item 14.E. Personnel Report

The Board approved the attached Personnel Report.

Item 14.F. Contract Services Report – Educational Services

The following contract services were approved:

PALO ALTO NETWORKS MAINTENANCE AND SUPPORT RENEWAL

The District currently utilizes the Palo Alto Networks appliance for Districtwide firewall, content filtering, intrusion detection, and anti-malware protection. The annual cost of \$47,900, purchased through Nth Generation, will renew support and software subscriptions for the Palo Alto Networks appliance for one year.

Information Services.....not to exceed\$47,900

YMCA OVERNIGHT CAMPS - OUTDOOR SCIENCE SCHOOL 2015-2016

YMCA Overnight Camps, located in Cleveland National Forest in Julian, offers an educational program for 5th and 6th grade students. A four-to-five day program provides students an opportunity to study science in a natural setting. The curriculum correlates to the 5th and 6th grade California Science standards. 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 can be supplemented by funds donated from individual parent organizations. Scholarships are available.

Item 14.G. Study Trip

The Board approved the study trip as presented.

Orange High School – Football Team – Orange, CA – August 22-23, 2015.

Orange High School’s football team, under the supervision of head football coach Robert Pedroza, will participate in an overnight camp on Orange High School’s campus. The purpose of the camp is to promote team bonding experience, teamwork, responsibilities (rotation of clean- up), accountability (scheduled meetings), and creating life-long friendships through hard work. The fifty male students will be accompanied by five adult chaperones who are also on our coaching staff. There will be no transportation and the chaperones and students will be staying in Room 801. There is no cost per student. The students will not miss any school. No substitutes are required.

Item 14.H. Memorandum of Understanding between Colton-Redlands-Yucaipa ROP and the District CTE/ROP for 2015-16

The Board accepted the application to enter into the Memorandum of Understanding between Colton-Redlands-Yucaipa ROP for the CTE Teach/CTEDDI project for the 2015-16 school year. The CTEDDI program addition will provide OUSD CTE educators with training in the use of and interpretation of assessment data for instructional improvements and to target individual student interventions. Due to the amended hours allotment for this grant in the past years, we have determined a “not to exceed” amount of hours. The grant allocation for the 2015-16 school year will not exceed 800 hours.

Item 14.I. Approval of a District Representative to Serve as the Official Voting Member on the Rancho Santiago Adult Education Consortium 2015-16

The Board approved Kerrie Torres, Executive Director of Secondary Education, to serve as the official District representative through June 30, 2016. An official representative is necessary to ensure that Orange Unified has a full voice in the decision making process including the disbursement of consortium funds to provide adult education courses and student support services authorized by AB 104, Section 84913.

Item 14.J. Grant Award – El Modena High School

The Board accepted the grant award of \$400 from the California Department of Education. The grant funds will be utilized to support the two participating departments and allow for the purchase of additional instructional supplies.

Item 14.K. Community Care Licensing for Facility Located at Palmyra Elementary School

The Board granted permission to proceed with the licensing application for Palmyra Elementary School to expand the District’s preschool services. The licensed room will be used to provide high quality preschool services to children ages three through five through the District’s current California State Preschool (CSPP) contract.

Item 14.L. Resolution No. 03-15-16: Signature Authorization

The Board adopted Resolution No. 03-15-16 granting signature authorization for specific District administrative/leadership employees as indicated on the attached document.

15. PUBLIC COMMENT: Non-Agenda Items

No speakers

16. OTHER BUSINESS

Mr. Christensen called for a moment of silence in honor of Jesse Rosales, a 5th grade student who was tragically killed by a vehicle last Saturday while he was crossing the street with his older sister.

17. ADJOURNMENT

By call of the chair, the meeting adjourned at 8:12 p.m.



Mark Wayland
Clerk of the Board