

*Irvine Unified School District
Irvine, California
Board of Education
Minutes of Regular Meeting
May 7, 2002*

Call to Order

The Regular Meeting of the Board of Education was called to order by President Choi at 5:04 p.m., in the District Administration Center, 5050 Barranca Parkway, Irvine, CA.

Roll Call

Members Present: Sue Kuwabara, Carolyn McInerney, Karen Preston, Steven Choi

Members Absent: Margie Wakeham (Member Wakeham joined the meeting at 5:15 p.m.)

Closed Session

The Board adjourned to Closed Session at 5:06 p.m.

Student Discipline Issues

The Board discussed three student discipline issues.

**RESOLUTION NO. 01-02-34: Public Employee Discipline/Dismissal/Release -
Temporary/Probationary/Permanent Employees**

On the motion of Member Kuwabara, seconded by Member Preston and carried 5-0, the Board adopted Resolution No. 01-02-34 directing that a notice of release of temporary employees be sent by the District administration to the employee designated before June 21, 2002.

AYES: Members Kuwabara, McInerney, Preston, Wakeham, Choi

NOES: None

ABSENT: None

Adoption of Proposed Decision of Administrative Law Judge

On the motion of Member McInerney, seconded by Member Choi and carried 5-0, the Board adopted the report of the Administrative Law Judge and directed staff to send final notices of layoff as specified in the proposed decision.

Conference with Labor Negotiator -- (All Employee Organizations)

- The Board discussed labor negotiations. No action was taken.
- The Board discussed contract extensions for the Deputy Superintendents.
- The Board met with the Irvine Teachers Association to hear a Level 3 Grievance. No action was taken.

Reconvene Regular Meeting

President Choi reconvened the meeting at 7:12 p.m. and reported on the discussion in Closed Session.

Student Discipline Issues

On the motion of Member McInerney, seconded by Member Kuwabara and carried 5-0, the Board expelled Student No. 005042 for violation of Ed. Code Sections 48900(c) and 48915 (a)(3) through January 23, 2003.

On the motion of Member McInerney, seconded by Member Kuwabara and carried 5-0, the Board expelled Student No. 000562 for violation of Ed. Code Sections 48900(b), (c), and (j), through June 20, 2002, with immediate suspension of the expulsion, allowing the student to continue on home instruction to complete credits necessary to receive a diploma. The Board further stipulated that the student not be allowed to participate in any graduation ceremony.

On the motion of Member McInerney, seconded by Member Preston and carried 5-0, the Board expelled Student No. 002442 for violation of Ed. Code Section 48900(a)(2), through January 23, 2003, with immediate suspension of the expulsion, allowing the student to return to the District on probationary status.

Pledge of Allegiance

The Pledge of Allegiance to the Flag of the United States of America was led by Member Kuwabara and was followed by a moment of silence.

Roll Call

Members Present: Sue Kuwabara, Carolyn McInerney, Margie Wakeham, Karen Preston, Steven Choi

Members Absent: None

Student Members Present: Mike Choi, Lauren Micek, Annie Pestolesi, Shelby Pollard

Student Members Absent: Tiffany Gates

Staff:

Patricia Clark White, Superintendent

Sue Long, Deputy Superintendent, Human Resources

Vern Medeiros, Deputy Superintendent/Chief Financial Officer

Dean Waldfogel, Deputy Superintendent, Curriculum and Instruction

Lee Brooks, Executive Assistant to the Superintendent

Other Staff: Anne Caenn, Don Chadd, Mary Cliff, Janelle Cranch, Rhonda DeVeaux, Jeanie Fritzsche, Dennis Gibbs, Ken Horner, Adelle Yeaton, Al Kaufman, Leah Laule, Lloyd Linton, Stan Machesky, Tom Nelson, Tammie Parham, Rick Seibert, Lauren Sipelis, Mark Sontag

Video Production Services: Mike McIntyre, Teleios Services

Approval of Minutes

On the motion of Member Kuwabara, seconded by Member McInerney and carried 5-0, the Board approved the Minutes of the Regular Meeting of March 5, 2002, as presented.

Special Presentation/Recognitions

Irvine Public Schools Foundation

IPSF President Jerry Amante presented a check in the amount of \$1.2 million, representing the completion of their pledge for the 2001-02 school year. For the 2002-03 school year, he announced IPSF's pledge of \$1.3 million in support of Art, Music and Science, allowing partial restoration of those programs from these gifted funds for next year.

Mr. Amante announced the success of the Class Size Reduction Reinstatement Campaign in raising over \$900,000 to restore the Class Size Reduction program in grades K, 2 and 3 for the 2002-03 school year, and expressed IPSF's sincere thanks to the Board, staff, corporate partners and the community for this phenomenal effort.

Executive Director Tim Shaw recognized corporate donors, including the Donald Bren Foundation, The Irvine Company, Irvine Ranch Water District, Taco Bell, Maruchan, Inc., and the City of Irvine, as well as an anonymous donor who contributed \$75,000. He then introduced Lita Robinow, who coordinated the "Irvine Embraces Education" event (which raised over \$100,000), and other key leaders of the Class Size Reduction Reinstatement Campaign -- Kevin Bossenmeyer, Loucinda Carlton, Julie Hudash, and Teresa Bachelor. Board members expressed their deep appreciation to all involved, and reiterated the need to continue our work together to find a permanent local solution to the perpetual underfunding of schools.

Financial Update

Vern Medeiros presented a brief update on the District's finances, reiterating the following points:

- Of the \$15.2 million ending balance for 2000-01, *over \$15 million is restricted*, leaving only \$150,000 in undesignated funding carried forward for this year.
- For 2001-02:

- Annual "new" revenues = \$7,944,416 - Basic "new" costs = \$6,959,080 - Changes to the Bottom Line = \$985,336 (*of which \$725,000 is one-time money*)

- Reduced State funding and increased costs for Health Benefits, Property/Liability Insurance, and Workers' Compensation Insurance.

Oral Communication

Janelle Cranch, CSEA President, extended congratulations to ITA for the "Teacher Excellence Awards Dinner," and expressed a desire for similar recognition for CSEA members, and an expedient contract settlement.

D. G. Phelps, 29 Christamon 92626, expressed concern about a perceived loss of the vision of excellence for IUSD students.

Michael Haggin, 17 Ashbrook 92604, addressed the Board regarding institutionalizing recurrent fundraising.

Speaking to the topic of concern relative to the status of ITA contract negotiations:

Anne Caenn, ITA President

Kim O'Malley

Dana Duenzen, 24 Wildflower 92604

Pam Dyer, UHS

Becky Grady, 12700 Newport Ave., Tustin 92780

Debbie Grayston, 12 Mandarin 92604

Marybeth Michel, 37 Pinewood 92604

Suzanne West, Santiago Hills

Perry Stampfel, WHS

Jim Antenore, 4261 Vale St. 92604

Farimah Fazeli, addressed the Board in support of high school counselors.

Adoption of the Agenda

On the motion of Member McInerney, seconded by Member Kuwabara and carried 5-0, the Board adopted the agenda, as amended:

REVISE Item 11k, *Certificated Personnel Action Report*

Recess

President Choi called a recess at 8:28 p.m. and reconvened the meeting at 8:37 p.m.

Student Board Member Reports

Student Members Pestolesi, Pollard, Choi and Micek reported on school activities.

Superintendent's Report

Superintendent White reported on district activities, legislative action and recognitions, and introduced new principal appointees Lauren Sipelis, Culverdale Elementary; and Tom Nelson, Woodbridge High School.

Announcements and Acknowledgments

Members Wakeham, McInerney, Kuwabara, and Choi reported on school visits, conference attendance, and meeting participation.

Consent Calendar

On the motion of Member McInerney, seconded by Member Wakeham and carried 5-0, the Board took the following action on the amended Consent Calendar:

- 1. Payment for Nonpublic School/Agency Services for Special Education Students** Approved the individual pupil service contract(s) for disabled student(s) negotiated between the Irvine Unified School District and State Certified Nonpublic Schools/Agencies.
- 2. Settlement Agreements as the Result of Due Process Hearings** Authorized payments in an amount not to exceed \$7,925 for Case Number SN 01-00445 and \$6,350 for Case Number SN 02-00094 in accordance with the terms of the Mediation Agreements.
- 3. Purchase Order Detail Report** (*A copy is attached to and made a part of these minutes.*) Approved the Purchase Order Detail Report dated April 26, 2002.
- 4. Check Register Report** Ratified issuance of check numbers as listed, representing Board authorized purchase orders, invoices and contracts: District 75, Irvine Unified School District - Numbers 00046182 through 00047239 District 44, Community Facilities District No. 86-1 - Numbers 00001727 through 00001739 District 41, Irvine Child Care Project - Numbers 00001546 through 00001554 Community Facilities District No. 86-1, Bank of New York Western Trust Co., Bond Series 97, 98, 99 - Numbers 01727882 through 01727897; Numbers 01735825 through 01735835; Numbers 01737879 through 01737891 Revolving Cash - Numbers 22550 through 22637
- 5. Contract Services Action Report** (*A copy is attached to and made a part of these minutes.*) Approved and/or ratified the Contract Services Action Report 2001-02/15 as submitted.
- 6. Renewal Contract Authorization -- RxAmerica -- IUSD Health Benefit Plan** Authorized the Deputy Superintendent/CFO to execute the renewal contract with RxAmerica, effective March 1, 2002 through February 29, 2003, to provide prescription drug service to eligible employees under the IUSD Health Benefit Plan.

7. **Purchase of Food Service Delivery Vehicle** Authorized staff to purchase a Food Service delivery vehicle properly equipped with both hot and cold departments for ongoing use by the Food Services Department.
8. **Purchase of Type 2 School Bus Van to Transport Students with Medical Needs** Approved the purchase of one Type 2 school bus van to be used to transport students with multiple disabilities.
9. **Plaza Vista School - Marquee** Accepted marquee at Plaza Vista School as complete and authorized staff to file Notice of Completion with the Orange County Recorder's Office.
10. **Classified Personnel Action Report** (*A copy is attached to and made a part of these minutes.*) Approved and/or ratified the Classified Personnel Action Report 2001-02/15 as submitted for Employment, Retirement and Leaves of Absence.
11. **Certificated Personnel Action Report** (*A copy is attached to and made a part of these minutes.*) Approved and/or ratified the Certificated Personnel Action Report 2001-02/16 as amended for Employment, Resignations, Separations, Leave of Absence and Contract Extension.
12. **Emergency Permit Requirement: Declaration of Need for Fully Qualified Educators** Adopted the "Declaration of Need for Fully Qualified Educators" authorizing the employment of teachers holding emergency permits for the 2002/2003 school year.
13. **Gifts** (*A copy is attached to and made a part of these minutes.*) Accepted gifts to the District as submitted.
14. **Field Trips, Tours and Excursions** Approved the following field trips funded by donations: 1) Sierra Vista 8th Graders to Anaheim, California on May 30, 2002 for \$2,580.00; 2) Westpark 6th Graders to Irvine, California on June 17, 2002 for \$1,205.00; 3) IHS/NHS Marching Band to Washington D.C. and New York, N.Y., June 29-July 5, 2003 for \$21,000.00.

CFD Consent Calendar

On the motion of Member Kuwabara, seconded by Member Preston and carried 5-0, the Board, acting as the governing body of Community Facilities District No. 86-1, took the following action on the CFD Consent Calendar:

1. **Change Order No. 1 -- Temporary Classrooms Power -- Irvine High School -- Modernization** Approved Change Order No. 1 in the amount of \$4,479.70 to Tri-City Electric Inc., for the Temporary Classrooms Power at the Irvine High School Modernization Project. The revised contract amount to be \$100,179.70. No Change to the completion date.
2. **Change Order No. 2 -- Temporary Classrooms Power -- Irvine High School -- Modernization** Approved Change Order No. 2 in the amount of \$1,626.00 to Tri-City Electric Inc., for the Temporary Classrooms Power at the Irvine High School Modernization project. The revised contract amount to be \$101,805.70. No change to the completion date.
3. **Change Order No. 2 -- Modernization Project-Phase 2 -- University High School** Approved Change Order No. 2 in the amount of \$34,867.53 to H.A. Nichols Company, Inc., for the Modernization project-Phase 2 at University High School. The revised contract amount to be \$2,498,607.11. No change to the completion date.
4. **Water Quality Engineering Services for Future Oak Creek Elementary School** Authorized the Assistant Superintendent of Facilities, Planning and Operations to contract with Fuscoe Engineering for an amount not to exceed \$2,600.
5. **Architectural Services for Portable Relocation from Irvine Valley College** Authorized the Assistant Superintendent of Facilities, Planning and Operations to contract with Steven F. Jellison Architects for architectural services pertaining to the relocation of the Irvine Valley College portables to Oak Creek Elementary

School.

6. Architectural Services for Northwood High School Aquatics Facility Authorized the Assistant Superintendent of Facilities, Planning and Operations to contract with LPA for a fee not-to-exceed the State School Building Program architectural and engineering fee schedule.

7. University High School Reconditioning of the Pool Deck Authorized staff to advertise for bid for reconditioning of the University High School pool deck.

Items of Business (Written reports were included with the agenda and are on file in the District Office.)

Budget Report (Oral Report)

CFO Vern Medeiros reviewed the revenue and expenditure changes to the budget since adoption. He advised the Governor's May Revise is due next week which will provide a clearer picture of the State's fiscal position. Member Wakeham expressed concern about increasing Health & Welfare costs.

Speaking to the topic:

Carol Uhlaner, 12 Murasaki St. 92612

Claudia Shambaugh, 7 Newton Ct. 92612

Class Size Reduction Restoration

Superintendent White reviewed the budget reduction process leading to the recommendation to eliminate Class Size Reduction at Grades K, 2 and 3, and the community response through the CSR Reinstatement Campaign to save the program.

Speaking to the topic:

Kevin Bossenmeyer, 25 Cedar Ridge 92612

Judy Avichouser, 17761 Manchester Ave. 92614

Sandy Rushing, 28 Sandpiper 92604

Fred Judd, 73 Pinewood 92604

On the motion of Member McInerney, seconded by Member Wakeham and carried 5-0, the Board accepted the donations from the Class Size Reduction Reinstatement Campaign to fund Class Size Reduction as a categorical program at grades Kindergarten, 2 and 3, pending monies being received by May 7, 2002, in the amount necessary to fully fund grades K, 2 and 3.

The Board expressed their sincere appreciation and congratulations to the campaign leaders, IPSF, corporate donors and parents for this one-year reprieve, but reiterated the need for permanent solutions. The Board further directed staff to explore other revenue generating opportunities including high school parking fees and exclusive vending machine contracts.

Public Hearing -- Consideration and Adoption of RESOLUTION NO. 01-02-30: Statutory School Fee Increase

President Choi opened the public hearing.

On the motion of Member McInerney, seconded by Member Wakeham and carried 5-0, the Board, after holding a public hearing and considering any and all comments on the proposed fee increase, adopted Resolution No. 01-02-30 increasing and readopting the school facilities fee on both residential and commercial/industrial development within the non-CFD areas of the Irvine Unified School District.

AYES: Members Kuwabara, McInerney, Preston, Wakehm and Choi

NOES: None
ABSENT: None

RESOLUTION NO. 01-02-31: Supporting the Pass Through of Increases in Federal Special Education Funding to Local Education Agencies

On the motion of Member Kuwabara, seconded by Member McInerney and carried 5-0, the Board adopted Resolution No. 01-02-31 Supporting the Pass Through of Increases in Federal Special Education Funding to Local Education Agencies.

AYES: Members Kuwabara, McInerney, Preston, Wakeham and Choi
NOES: None
ABSENT: None

High School Textbook Adoption 2002-03

On the motion of Member McInerney, seconded by Member Preston and carried 5-0, the Board approved the proposed additions to the 2002-03 *IUSD High School Textbook Catalogue*.

Resolution No. 01-02-32: Authorizing the Borrowing of Funds for Fiscal Year 2002-03 and the Issuance and Sale of a 2002-03 Tax and Revenue Note (TRAN) therefor in an Amount Not to Exceed \$16,000,000; Participation in the South Coast Local Education Agencies Pooled Tax and Revenue Anticipation Note Program; And Requesting the Board of Supervisors of the County to Issue and Sell Said Note

On the motion of Member McInerney, seconded by Member Kuwabara and carried 5-0, the Board adopted Resolution No. 01-02-32 authorizing issuance, approving the Official Statement, and pledging revenues and entering into certain tax covenants in connection with the 2002-03 Tax and Revenue Anticipation Note (TRAN).

AYES: Members Kuwabara, McInerney, Preston, Wakeham and Choi
NOES: None
ABSENT: None

Resolution No. 01-02-33: Energy Conservation

On the motion of Member Wakeham, seconded by Member McInerney and carried 5-0, the Board adopted Resolution No. 01-02-33 setting forth the District's energy conservation measures, and authorized the Superintendent to execute the Certification of Compliance.

AYES: Members Kuwabara, McInerney, Preston, Wakeham and Choi
NOES: None
ABSENT: None

CFD ITEMS OF BUSINESS

Architectural Services Class Size Reduction Conversion, New Sidewalk and DSA Approval for Relocatable at Plaza Vista School

On the motion of Member Wakeham, seconded by Member McInerney and carried 5-0, the Board, acting as the governing body of the Community Facilities District No. 86-1, authorized the Assistant Superintendent of Facilities, Planning and Operations to contract with HMC Group for an amount not to exceed the State School Building Program architectural and engineering fee schedule.

Oral Communication

None

Adjournment

There being no further Board of Education business, the meeting was adjourned a 9:55 p.m.

Steven S. Choi
President

Patricia Clark White
Superintendent