

Irvine Unified School District
Irvine, California

Board of Education
Minutes of Regular Meeting
May 16, 2006

Call to Order

The Regular Meeting of the Board of Education was called to order by President Kuwabara at 5:10 p.m., in the District Administration Center, 5050 Barranca Parkway, Irvine, CA.

Roll Call

Members Present:

Gavin Huntley-Fenner, Carolyn McInerney, Mike Parham, Sharon Wallin, Sue Kuwabara

Members Absent:

None

Oral Communication

None

Closed Session

The Board adjourned to Closed Session at 5:12 p.m.

Student Discipline Issues

The Board discussed three student discipline issues.

**RESOLUTION NO. 05-06-51: Employee Discipline/Dismissal/Release -
Temporary/Intern Employees**

The Board discussed the release of specific certificated employees and the reasons therefore.

Conference with Labor Negotiator (Irvine Teachers Association)

The Board discussed labor negotiations.

Conference with Legal Counsel - Existing Litigation (Case No. 05CC08521)

The Board discussed pending litigation and provided direction to staff.

Reconvene Regular Meeting

President Kuwabara reconvened the meeting at 7:07 p.m.

Pledge of Allegiance

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

Roll Call

Members Present:

Gavin Huntley-Fenner, Carolyn McInerney, Mike Parham, Sharon Wallin, Sue Kuwabara

Members Absent:

None

Student Members Present:

Max Bloom, Kristin Pace, Tom Poulos, Katherine Woodfield

Student Members Absent:

Corinne Bernstein
Dana Blumenthal
Ketki Warudkar

Staff:

Dean Waldfogel, Superintendent of Schools
Vern Medeiros, Deputy Superintendent, Business Services
Dave Hatton, Asst. Superintendent, Human Resources
Leah Laule, Asst. Superintendent, Education Services
Lee Brooks, Executive Assistant to the Superintendent

Other Staff:

Irene Brady, David Burke, Nancy Colocino, Janelle Cranch, Pat DeSimone, Rhonda DeVaux,
Jeanie Fritzsche, Dennis Gibbs, Lloyd Linton, Nancy Melgares, Kris Moore, Jon Nakano,
Tammy Parham, Melodee Zamudio

Video Production Services:

Mike McIntyre, Teleios Services

Closed Session Report

President Kuwabara reported on the discussion in the following Closed Sessions.

May 10, 2006 Closed Session

Public Employment - Superintendent

The Board met with CSBA's Executive Search consultants who presented their top candidates for the Board's consideration to move forward in the Superintendent Search process. After careful review of the applications and confidential reports on each candidate, the Board reluctantly concluded that there was an insufficient number of candidates meeting the Board's criteria.

The Board expressed appreciation to CSBA for their work and, based on the conclusion of the process, took action to terminate the contract with CSBA for the Superintendent Search.

May 15, 2006 Closed Session

Public Employment - Superintendent

The Board met with the Superintendent Selection Advisory Council to advise that the contract with CSBA for the Superintendent Search had been terminated. The Board expressed appreciation to the SSAC members for their work and valuable input.

It is the Board's intent to continue the Superintendent Search and is in the process of exploring options to move forward. In the interim, Dr. Waldfogel has agreed to extend his retirement date for a limited time.

May 16 Closed Session

Public Employment - Superintendent

The Board discussed the qualities and characteristics of various candidates in relation to the selection criteria.

Student Discipline Issues

On the motion of Member McInerney, seconded by Member Huntley-Fenner and carried 5-0, the Board expelled Student No. 980495 for violation of Ed Code Sections 48915(c)(3) and 48900(c), through May 16, 2007, with suspension of the expulsion at the start of his 9th grade year, allowing the student to return to the district with probationary status.

On the motion of Member Wallin, seconded by Member Parham and carried 5-0, the Board expelled Student No. 191032088 for violation of Ed Code Sections 48900(c) and 48900(k), through January 30, 2007, with suspension of the expulsion at the start of his 9th grade

year, allowing the student to return to the strict with probationary status.

On the motion of Member Huntley-Fenner, seconded by Member Wallin and carried 5-0, the Board expelled Student No. 973254 for violation of Ed Code Sections 48915(a)(1), 48900(a)(1), 48900(a)(2), and 48900 (k), through the remainder of the school year.

**RESOLUTION NO. 05-06-51: Employee Discipline/Dismissal/Release -
Temporary/Intern Employees**

On the motion of Member Huntley-Fenner, seconded by Member Parham and carried 5-0, the Board adopted Resolution No. 05-06-51 Employee Discipline/Dismissal/Release – Temporary/Intern Employees, directing that a notice of release of temporary/intern/probationary employees be sent by the District administration to the employees listed before June 22, 2006.

AYES: Members Huntley-Fenner, McInerney, Parham, Wallin, Kuwabara
NOES: None
ABSENT: None

Approval of Minutes

On the motion of Member Wallin, seconded by Member Parham and carried 5-0, the Board approved the following Minutes, as presented:

April 7, 2006 Special Meeting
April 11, 2006 Regular Meeting
April 25, 2006 Special Meeting

Adoption of the Agenda

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

REVISE Item 3a, *Student Discipline Issues* (2 cases removed by staff)

Special Recognitions

Retiring Superintendent of Schools – Dean Waldfogel

Retiring Superintendent Dean Waldfogel was recognized for his 31 years of distinguished service by the following community and business leaders:

Mike LeBlanc, Vice President, The Irvine Company
Jacquie Ellis, President, Irvine Chamber of Commerce

Beth Krom, Mayor, City of Irvine
Tim Shaw, Chief Executive Officer, Irvine Public Schools Foundation
Sue Kuwabara, President, IUSD Board of Education
Certificate of Congressional Recognition from Congressman John Campbell

Assistant Superintendent David Hatton introduced Jeff Williamson as the new principal of Rancho San Joaquin Middle School.

Retirees

Assistant Superintendent David Hatton recognized IUSD's 2005-2006 retirees:

Janis Behan, Northwood
Annette Bono, Northwood H.S.
Sandra Carpenter, College Park
Roberta Clark, Westpark
William DeGuzman, Oak Creek
Paul Dishno, Maintenance & Operations
My Chau Doan, Montessori/ECE
John Dusckett, Woodbridge H.S.
Carlton Fagan, Special Programs
Diane Fritz, Special Programs
Richard Gale, Woodbridge H.S.
Lynda Gibbs, Creekside H.S.
Patricia Gibson, Brywood
Kathleen Gillis, Woodbridge H.S.
Lee Giovanello, University H.S.
Jill Goodell, Lakeside M.S.
Philomena Hall, Northwood H.S.
Pamela Hall, Westwood Basics Plus
Wendy Huntley, Deerfield
Elaine Kleinman, Stone Creek
Amy Komaki, Information Services
Joseph Marinkovich, Irvine H.S.
Michael McCammond, Irvine H.S.
Mary McGill, Career Link
Susan Mehrtens, Stone Creek
Annie Milovich, Deerfield

Nicholas Misserville, University H.S.
Susan Munson, Woodbridge H.S.
Margery Paddock, Santiago Hills
Tammera Parham, Oak Creek
Linda Peck, Brywood
Douglas Reigle, El Camino Real
Patricia Rieff, Meadow Park
Douglas Roe, Sierra Vista M.S.
Sylvia Rosenzweig, Westpark
Stanley Steele, Fine Arts
Domingo Suarez, Bonita Canyon
Cynthia Succa, Northwood
Helga Terfansky, Westpark
Sheree Vaughan, Sierra Vista M.S.
Margaret Wheland, Greentree
Gordon Yeaton
Clarence York, Stone Creek

Oral Communication

None

Student Board Member Reports

Student Members Poulos, Pace, Bloom, and Woodfield reported on school activities.

Superintendent's Report

Superintendent Waldfogel reported that all four comprehensive high schools were included on *Newsweek's* Top 1200 High Schools list. Congratulations were expressed to IUSD's nine National Merit Scholars.

Announcements and Acknowledgments

Members Huntley-Fenner, Kuwabara and Wallin reported on school visits, conference attendance, and meeting participation.

Consent Calendar

On the motion of Member McInerney, seconded by Member Parham and carried 5-0 (Student Members voting "Yes"), the Board took the following action on the 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. **Contract for Special Education Related Services**
Authorized payment for special education related services in an amount not to exceed \$975.00.
3. **Payment in Accordance with the Terms of the Settlement Agreement**
Authorized payment in an amount not to exceed \$22,000.00 in accordance with the terms of the Settlement Agreement.
4. **Grant Proposal: Broadcom Corporation, Corporate Giving Program**
Approved the submission of the Broadcom Corporation, Corporate Giving Program grant application to enhance science classes at Sierra Vista Middle School.
5. **Appointment of California Interscholastic Federation (CIF) League Representatives – 2006-07**
Approved the following individuals to serve as the 2006-07 CIF league representatives for the schools indicated: Gail Richards - Irvine High School, Cassie Parham - Northwood High School, John Pehrson - University High School, and Tom Nelson - Woodbridge High School.
6. **Purchase Order Detail Report**
(A copy is attached to and made a part of these minutes.)
Approved the Purchase Order Detail Report dated May 5, 2006.
7. **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 00093438 through 00094205
 - District 50, Community Facilities District No. 01-1 - Number 00001161
 - District 44, Community Facilities District No. 86-1 - Numbers 00003197 through 00003210
 - District 41, Irvine Child Care Project - Numbers 00001989 through 00001996
 - Revolving Cash - Numbers 27330 through 27378

8. **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 2005-06/15, as submitted.
9. **Disposal of Surplus/Discarded Equipment**
Authorized disposal of surplus/discarded equipment by the most efficient means in compliance with the provisions of the California Education Code and IUSD Board Policy.
10. **Five Year Deferred Maintenance Plan**
Approved the Five Year Deferred Maintenance Plan, as presented.
11. **Notice of Completion – Concrete Project – Meadow Park Elementary School**
Authorized the Deputy Superintendent of Business Services to accept the concrete project at Meadow Park Elementary School as complete and authorized filing a Notice of Completion with the Office of the County Recorder.
12. **Notice of Completion - Asphalt Project – Eastshore Elementary School**
Authorized the Deputy Superintendent of Business Services to accept the asphalt project at Eastshore Elementary School as complete and authorized filing a Notice of Completion with the Office of the County Recorder.
13. **Receive Bids/Award Contract - Turtle Rock Elementary School Roof Project**
Authorized the Deputy Superintendent of Business Services to enter into a contract with Bligh Pacific for the Turtle Rock Elementary School Roof Project for the amount of \$573,323.00.
14. **Renewal of Bid #04/05-17 to Provide and Install School and Office Furniture with Culver Newlin, Inc., for the 2006-07 School Year**
Authorized the renewal of Bid #04/05-17 for the acquisition of furniture and equipment with Culver Newlin, Inc. through June 30, 2007.
15. **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 2005-06/15, as submitted for Employment, Resignation and Separations.
16. **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 2005-06/15, as submitted for Employment and Resignations.
17. **Joint Bargaining Proposal – Irvine Unified School District/California School Employees Association, Chapter 517**

Accepted the joint proposal from the California School Employees Association, Chapter 517 and the Irvine Unified School District's negotiating teams and scheduled a public hearing at its regular Board meeting of June 6, 2006.

18. **Field Trips and Excursions**

Approved the following field trips funded by donations:

- 1) Plaza Vista 5th graders to Sacramento, California, June 1-2, 2006 for \$22,500.00;
- 2) WHS varsity boys basketball team to South Lake Tahoe, Nevada, July 6-9, 2006 for \$3,500.00;
- 3) IHS cheer squad to Aliso Niguel, California on July 20-23, 2006 for \$10,050.00;
- 4) WHS varsity boys basketball team to Las Vegas, Nevada, December 26-30, 2006 for \$3,500.00.

Consent Calendar Resolutions

On the motion of Member Wallin, seconded by Member McInerney and carried 5-0 (Student Members voting "Yes"), the Board took the following action on the Consent Calendar Resolutions:

RESOLUTION NO. 05-06-53: Signature Authorization and Submission of the Pre-kindergarten Child Care Resource Contract – Early Start at the Early Childhood Learning Center

Adopted Resolution No. 05-06-53 for signature authorization and approved the submission of the Pre-kindergarten Child Care Resource Contract - Early Start at the ECLC, 2005-2006.

RESOLUTION NO. 05-06-54: Signature Authorization and Submission of School Age Resource Grant Amendment, Latchkey Child Care at Vista Verde School

Adopted Resolution No.05-06-54 for signature authorization and approval of the School Age Resource Grant Amendment-Latchkey Child Care at Vista Verde School, 2005-2006.

AYES: Members Huntley-Fenner, McInerney, Parham, Wallin, Kuwabara
NOES: None
ABSENT: None

CFD Consent Calendar

On the motion of Member Parham, seconded by Member Huntley-Fenner and carried 5-0, the Board, acting as the governing body of Community Facilities Districts No. 86-1, No. 01-1, No. 03-1, and No. 04-2 took the following action on the CFD Consent Calendar:

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1. **Change Order No. 1 – Bid Category No. 5-Concrete – Turtle Ridge K-8 (Vista Verde) School**
Approved Change Order No. 1 in the amount of <\$17,895.00> to JBH Structural Concrete, Inc., Bid Category No. 5 - Concrete at the Turtle Ridge K-8 (Vista Verde) School project. The revised contract amount to be \$2,850,105.00. No change to the completion date.
 2. **Change Order No. 1 – Bid Category No. 8-Rough Carpentry – Turtle Ridge K-8 (Vista Verde) School**
Approved Change Order No. 8 in the amount of \$18,017.00 to Rocky Coast Framers, Inc., Bid Category No. 8-Rough Carpentry at the Turtle Ridge K-8 (Vista Verde) School project. The revised contract amount to be \$2,460,317.00. No change to the completion date.
 3. **Change Order No. 1 – Bid Category No. 11- Sheet Metal – Turtle Ridge K-8 (Vista Verde) School**
Approved Change Order No. 1 in the amount of \$3,351.00 to Crouner Sheet Metal, Bid Category No. 11-Sheet Metal, at the Turtle Ridge K-8 (Vista Verde) School project. The revised contract amount to be \$153,486.00. No change to the completion date.
 4. **Change Order No. 1 – Bid Category No. 19- Fire Protection – Turtle Ridge K-8 (Vista Verde) School**
Approved Change Order No. 1 in the amount of \$6,422.00 to Cosco Fire Protection, Bid Category No. 19 - Fire Protection, at the Turtle Ridge K-8 (Vista Verde) School project. The revised contract amount to be \$329,422.00. No change to the completion date.
 5. **Change Order No. 1 – Bid Category No. 20-Plumbing – Turtle Ridge K-8 (Vista Verde) School**
Approved Change Order No. 1 in the amount of \$5,595.00 to Continental Plumbing Inc., Bid Category No. 20- Plumbing, at the Turtle Ridge K-8 (Vista Verde) School project. The revised contract amount to be \$906,965.00. No change to the completion date.
 6. **Change Order No. 1 – Bid Category No. 22-Electrical – Turtle Ridge K-8 (Vista Verde) School**
Approved Change Order No. 1 in the amount of \$35,966.00 to Gilbert & Stearns, Inc., Bid Category No. 22 - Electrical, at the Turtle Ridge K-8 (Vista Verde) School project. The revised contract amount to be \$1,793,966.00. No change to the completion date.
 7. **Change Order No. 1 – Bid Category No. 3-Landscaping – Quail Hill (Alderwood Basics Plus) Elementary Site Project**
Approved Change Order No. 1 in the amount of \$5,042.00 to Pierre Sprinkler and Landscape for Bid Category No. 3-Landscaping, at the Quail Hill (Alderwood Basics Plus) Elementary Site project. The revised contract amount to be \$724,579.79. No

change to the completion date.

8. **Authorization to Purchase Two (2) Relocatables for Child Care at Turtle Ridge K-8 (Vista Verde) School**
Authorized the Deputy Superintendent of Business Services to enter into a contract with Modtech Holdings, Inc., to purchase two (2) child care relocatables for a fee of \$217,489.00.
9. **Receive Bids/Award Contract – Maintenance and Operations Site Expansion and Improvements – Phases 1 and 2**
Authorized the Deputy Superintendent of Business Services to enter into a contract with Sully Miller in the amount of \$1,532,583.43 for the Maintenance and Operations Site Expansion and Improvements Phases 1 and 2.
10. **Architectural and Engineering Services – Maintenance and Operations Site Expansion and Improvements – Phases 3, 4, and 5**
Authorized the Deputy Superintendent of Business Services to negotiate and enter into a contract with tBP Architecture for the Maintenance and Operations Site Expansion and Improvements Phases 3, 4, and 5.
11. **Authorization to Renew Lease of One (1) 12' X 30' Department of Housing (DOH) Relocatable for Woodbridge High School**
Authorized the Deputy Superintendent of Business Services to enter into a contract with Mobile Modular Management Corporation to renew the lease of one (1) 12' x 30' DOH relocatable for Woodbridge High School, commencing June 2006 through May 2008.

Items of Business

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

Montessori Preschool Program Closure June 2007

Elementary Education Director Dennis Gibbs presented background information and rationale for the proposal to close the Montessori Preschool effective June 2007.

Speaking to the topic:

Betty Miller
Nagesh Pantula
Francis Amalraj
Ieka Teffayo
Andrew Raunau
Ming-fen Cheng
Michael B. Miller

Kimmer Kim
Monju Lekha Rao
Lan Yen Wu
Abby Edmunds
Monju Lekha Rao
Tom Poulos

ELD Program Coordinator Melodee Zamudio acknowledged the positive impacts of the Montessori Program for non-English speaking families, but reported that there is no conclusive data regarding the impact of the program on English language development. Special Education Director Nancy Melgares advised that there was limited interaction between the Montessori and Special Education preschools currently housed at the same location.

While expressing strong support for the program, board members discussed various district challenges including the historical subsidy of the program, space needed for the growing special education preschool population, and a desire to move away from non-mandated programs which draw on district resources.

Member Parham requested information regarding alternative options such as placing relocatables at the Early Childhood Learning Center or moving the program to the Harvard/Barranca site. Staff advised both options were cost prohibitive.

Superintendent Waldfogel extended an offer to provide District expertise regarding fiscal strategy and relocation options during the transition of the program to a private entity.

On the motion of Member McInerney, seconded by Member Huntley-Fenner and carried 4-1 (Member Parham voting "No"), the Board approved the following:

- 1) Discontinue Irvine Unified School District operation of the Montessori Preschool, effective June 2007.
- 2) Allow the Montessori Preschool to continue operations at ECLC during the 2006-07 school year with 6 classes.

Recess

President Kuwabara called a recess at 9:20 p.m. and reconvened the meeting at 9:30 p.m.

Secondary Course of Study - Grades 7-12 For 2006-07

Deputy Superintendent Leah Laule provided clarification regarding Course Nos. 3296 & 3297—Algebra Tutorial at IHS, and Course No. 6853 – Law and Society at UHS.

On the motion of Member McInerney, seconded by Member Huntley-Fenner and carried 5-0, the Board approved the Secondary Course of Study - Grades 7-12 for the 2006-07 school year.

First Reading: Wellness Policies

Elementary Education Director Dennis Gibbs provided an overview of the new policies and policy revisions which were developed under the auspices of the IUSD Wellness Committee to comply with federal mandates of the Child Nutrition and Reauthorization Act of 2004. The Wellness Committee developed a strategic initiative adopted by the Board in March 2006 to address the five key areas of wellness, which are formalized in these policies.

The Board discussed the impacts of the policies on school celebrations and Food Services Director Rhonda DeVaux advised that alternative suggestions were available on the website. Board members were also provided clarifying information regarding vending machine sales at the high schools.

On the motion of Member Wallin, seconded by Member Huntley-Fenner and carried 5-0, the Board:

- 1) Approved for first reading the recommended new and revised Board Policies:
 - a) Student and Staff Wellness, Board Policy 5030 (new)
 - b) Physical Education and Fitness, Board Policy 6146 (new)
 - c) Health Education, Board Policy 6142 (new)
 - d) Nutrition Education and Food Services, Board Policy 3551 (revised)
 - e) Reimbursable Meals: National School Lunch and School Breakfast Programs, Board Policy 3553 (revised)
- 2) Expressed appreciation to members of the Wellness Committee for their work and contributions.

RESOLUTION NO. 05-06-52: Approving the Acquisition of an Easement at Woodbury (El Camino) Elementary School Site

On the motion of Member Parham, seconded by Member Huntley-Fenner and carried 5-0, the Board adopted Resolution No. 05-06-52 approving the acquisition of an easement, pursuant to the terms set forth in the Easement Grant Deed.

AYES: Members Huntley-Fenner, McInerney, Parham, Wallin, Kuwabara
NOES: None
ABSENT: None

RESOLUTION NO. 05-06-55: Adopting an Initial Study and Mitigated Negative Declaration (IS/MND) for the Proposed Creekside Education Center and K-12 Expansion Project and Instruction to File a Notice of Determination

On the motion of Member Huntley-Fenner, seconded by Member Wallin and carried 5-0, the Board adopted Resolution No. 05-06-55 adopting an Initial Study and Mitigated Negative Declaration (IS/MND) for the proposed Creekside Education Center and K-12 Expansion project and authorized staff to file a Notice of Determination.

AYES: Members Huntley-Fenner, McInerney, Parham, Wallin, Kuwabara
NOES: None
ABSENT: None

RESOLUTION NO. 05-06-56: Order of Biennial Trustee Election and Specifications of the Election Order

On the motion of Member McInerney, seconded by Member Wallin and carried 5-0, the Board adopted Resolution No. 05-06-56, informing the County Superintendent of Schools, Orange County, of the specifications of the election order for the forthcoming Biennial Governing Board Election to be held on Tuesday, November 7, 2006, pursuant to Education Code Sections 5304 and 5322, and ordering consolidation of this election in accordance with Education Code Sections 5340 and 5342.

AYES: Members Huntley-Fenner, McInerney, Parham, Wallin, Kuwabara
NOES: None
ABSENT: None

School Board Election Candidate Statements - November 7, 2006

On the motion of Member Wallin, seconded by Member McInerney and carried 5-0, the Board selected 200 as the number of words for the candidates' statements of qualifications and authorized the Secretary to the Board to notify the Registrar of Voters.

CFD Items of Business

RESOLUTION NO. 05-06-57: Establishing a Capital Project Fund and a Debt Service Fund for Blended Component Units of Irvine Unified School District Community Facilities District No. 04-2B (Woodbury)

On the motion of Member Wallin, seconded by Member Parham and carried 5-0, the Board, acting as the governing body of Community Facilities District No. 04-2B, adopted Resolution No. 05-06-57, authorizing the establishment of a Capital Project Fund and a Debt Service Fund for Blended Component Units for Community Facilities District No. 04-2B (Woodbury).

Oral Communication

None

Adjournment

On the motion of Member Parham, seconded by Member Wallin and carried 5-0, there being no further Board of Education business, the Board adjourned to the IUSD Financing Authority Meeting at 10:09 p.m.

Sue Kuwabara
Board President

Dean Waldfogel
Superintendent of Schools