

Irvine Unified School District
Irvine, California

Board of Education
Minutes of Regular Meeting
March 17, 2009

Call to Order

The Regular Meeting of the Board of Education was called to order by President Huntley-Fenner at 6:45 p.m., in the District Administration Center, 5050 Barranca Parkway, Irvine, California.

Roll Call

Members Present:

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

Members Absent:

None

Oral Communication

None

Closed Session

The Board adjourned to Closed Session at 6:47 p.m.

Student Discipline Issue

The Board discussed ten student discipline issues.

Reconvene Regular Meeting

President Huntley-Fenner reconvened the meeting at 7:20 p.m.

Pledge of Allegiance

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

Roll Call

Members Present:

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

Members Absent:

None

Student Members Present:

Patrick Chew, Alaina Judd, Eduardo Mier y Teran, Riann Simmons

Student Members Absent:

None

Staff:

Gwen Gross, Superintendent of Schools
Lisa Howell, Assistant Superintendent, Business Services
Cassie Parham, Assistant Superintendent, Education Services
Terry Walker, Assistant Superintendent, Human Resources
Lee Brooks, Executive Assistant to the Superintendent

Other Staff:

James Adling, Robin Beacham, Rick Blazer, Monica Colunga, Janelle Cranch,
Ian Hanigan, Joe Hoffman, Patsy Janda, Lloyd Linton, Lynn Matassarini, Barb Petro,
Heather Phillips, Leslie Roach, Lauren Sipelis, Mark Sontag, Keith Tuominen,
Bob Valdez, Jason Vilorio

Video Production Services:

Mike McIntyre, Teleios Services

Closed Session Report

President Huntley-Fenner reported on the discussion in Closed Session.

Student Discipline Issues

On the motion of Member Wallin, seconded by Member Parham and carried 4-1 (Member McInerney voting "No"), the Board approved the staff recommendation to expel Student No. 148010068 for the remainder of the 2008-09 school year.

On the motion of Member Parham, seconded by Member Kuwabara and carried 4-1 (Member McInerney voting "No"), the Board approved the staff recommendation to expel Student No. 966479 for the remainder of the 2008-09 school year.

On the motion of Member Kuwabara, seconded by Member Parham and carried 5-0, the Board approved the staff recommendation to expel Student No. 191084358 through the first semester of the 2009-10 school year, with suspension of the expulsion at the beginning of the 2009-10 school year, allowing the student to return with probationary status.

On the motion of Member Parham, seconded by Member Kuwabara and carried 5-0, the Board approved the staff recommendation to expel Student No. 191084401 through the first semester of the 2009-10 school year, with suspension of the expulsion at the beginning of the 2009-10 school year, allowing the student to return with probationary status.

On the motion of Member McInerney, seconded by Member Wallin and carried 5-0, the Board approved the staff recommendation to expel Student No. 156010048 through the first semester of the 2009-10 school year, with suspension of the expulsion at the beginning of the 2009-10 school year, allowing the student to return with probationary status.

On the motion of Member Parham, seconded by Member Kuwabara and carried 5-0, the Board approved the staff recommendation to expel Student No. 164990154 through the first semester of the 2009-10 school year, with suspension of the expulsion at the beginning of the 2009-10 school year, allowing the student to return with probationary status.

On the motion of Member Kuwabara, seconded by Member Wallin and carried 5-0, the Board approved the staff recommendation to expel Student No. 164000039 through the first semester of the 2009-10 school year, with suspension of the expulsion at the beginning of the 2009-10 school year, allowing the student to return with probationary status.

On the motion of Member Wallin, seconded by Member Parham and carried 5-0, the Board approved the staff recommendation to expel Student No. 191021176 through the first semester of the 2009-10 school year, with suspension of the expulsion at the beginning of the 2009-10 school year, allowing the student to return with probationary status.

On the motion of Member Kuwabara, seconded by Member Parham and carried 5-0, the Board approved the staff recommendation to expel Student No. 971755 through the remainder of the 2008-09 school year.

On the motion of Member Parham, seconded by Member McInerney and carried 5-0, the Board approved the staff recommendation to expel Student No. 116010170 through the first semester of the 2009-10 school year, with suspension of the expulsion at the beginning of the 2009-10 school year, allowing the student to return with probationary status.

Approval of Minutes

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

March 3, 2009 Regular Meeting

Adoption of the Agenda

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

REVISE *Item 15c - Receive Bids/Award Contracts - Woodbridge High School
Modernization*

Items Removed from Consent Calendars for Discussion and Separate Action:

*Item 15f - Authorization to Renew Lease of Two (2) Relocatable
Classrooms at Alderwood Basics Plus Elementary School*

Special Recognition

CIF Champions

Assistant Superintendent Parham recognized the Woodbridge High School Girls Basketball Team as CIF champions and presented certificates honoring their achievement. Coach Eric Bangs introduced the players.

Oral Communication

Speaking in support of a Stadium at University High School:

Kevin Trussell
Mitch Axene
Hanna Axene
Dan Borland
Noel Hamilton
Brandon Durkee
Jake Slobodien
Rick Gibson

Student Board Member Reports

Student Members Chew, Judd, Mier y Teran and Simmons reported on school activities.

Superintendent's Report

Superintendent Gross congratulated WHS student Alyssa Hansen, who won the Digital Arts Challenge Grand Prize of \$10,000 for her graphic novel, *The Guardians*, and announced the selection of IUSD principals Lisa Kadam and Kara Rydman to represent Orange County schools on the 2009 Japan Business Association's U.S. Educators tour. Gross commented on a very successful District Science Fair on March 10, and reported on upcoming events including the March 18 Budget Study Session and Community Forum, as well as the Family Resource Fair at Irvine High School the same day.

Announcements and Acknowledgments

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

Consent Calendar

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:

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 \$10,889.00.
3. **Annual Submission of the Single Plan for Student Achievement Plans for January Through December 2009**
Approved the annual submission of SPSA plans for 2009.
4. **SB 368 Community-based English Tutoring (CBET) Program for 2009-2010**
Approved IUSD application to the California Department of Education for a CBET program for 2009-2010.
5. **Submission of Application for Funding for English Language Acquisition Program for 2009-2010.**
Approved the submission of the District's Application for Funding for English Language Acquisition Program for 2009-2010 to the California Department of Education.

6. **Purchase Order Detail Report**
(A copy is attached to and made a part of these minutes.)
Approved the Purchase Order Detail Report dated March 6, 2009.
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 00128939 through 00129438
 - District 50, Community Facilities District No. 01-1 - Numbers 00001391 through 00001393
 - District 44, Community Facilities District No. 86-1 - Numbers 00003892 through 00003903
 - District 41, Irvine Child Care Project - Numbers 00002313 through 00002314
 - Revolving Cash - Numbers 31269 through 31349
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 2008-09/ 12, as submitted.
9. **Claim For Damages - #06-2009**
Denied the Claim for Damages on behalf of the named claimants and referred the matter to the District's insurance administrator.
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 2008-09/12, as submitted for Employment.
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 2008-09/12, as submitted for Employment.
12. **Gifts**
(A copy is attached to and made a part of these minutes.)
Accepted gifts to the District, as listed.
13. **Field Trips and Excursions**
Approved the following field trips funded by donations
 - 1) Bonita Canyon 5th grade students to Oak Glen, California, on April 2, 2009 for \$42,850.00;
 - 2) Turtle Rock 3rd grade students to Irvine, California, on April 2, 2009 for \$1,040.00;
 - 3) Woodbridge High School Marine Science students to San Diego, California, on May 22, 2009 for \$2,700.00;

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- 4) Northwood High School Advanced Placement Environmental Science students to Long Beach, California, on June 10, 2009 for \$1,500.00.

Consent Calendar Resolution

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

RESOLUTION NO. 08-09-46: Irvine Public Schools Foundation to Offer Fee-based Summer School Program

Adopted Resolution No. 08-09-46 approving the Irvine Public Schools Foundation to offer a fee-based summer school program.

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

CFD Consent Calendar

On the motion of Member McInerney, seconded by Member Parham and carried 5-0, the Board, acting as the governing body of Community Facilities District Nos. 86-1, 01-1, 04-2, and 07-1 took the following action on the CFD Consent Calendar:

1. **Change Order No. 1 — Bid Category No. 7-1 - Roofing (OCDE) — University High Special Education Facility**
Approved Change Order No. 1 in the deductive amount of <\$1,500.00> to Adco Roofing, Inc., Bid Category No. 7-1 – Roofing (OCDE), at the University High New Classroom Building and Special Education Facility project. The revised contract amount to be \$388,335.00. No change to the completion date.
2. **Change Order No. 2 — Bid Category No. 3-1 — Concrete (OCDE) — University High Special Education Facility**
Approved Change Order No. 2 in the amount of \$11,669.00 to Hanan Construction, Bid Category No. 3-1 – Concrete (OCDE), at the University High New Classroom Building and Special Education Facility project. The revised contract amount to be \$1,016,487.00. No change to the completion date.
3. **Receive Bids/Award Contract Santiago Hills Elementary School Modernization Project - Phase I**
Authorized the Assistant Superintendent/CFO of Business Services to award the contract based on the base bid and bid alternates 1 and 2 for the Santiago Hills Elementary School Modernization Project – Phase I, to Plyco Corporation in the amount of \$711,000.00.

4. Notice of Completion — Three (3) Classroom Relocatables and One (1) Child Care Relocatable Project — Woodbury Elementary School

Accepted the classroom relocatable project at Woodbury Elementary School as complete and authorized staff to file a Notice of Completion with the County of Orange Recorder's Office.

5. Authorization to Purchase Two (2) Childcare Relocatables for Stonegate Elementary School

Authorized the Assistant Superintendent/CFO of Business Services to enter into a contract with Silver Creek Industries, Inc., to purchase two (2) childcare relocatables for Stonegate Elementary School for a cost of \$202,368.57.

6. Replacement of One (1) Existing Shade Structure — Eastshore Elementary School

Authorized the Assistant Superintendent/CFO of Business Services to enter into a contract with Shade Structures to replace the existing one (1) shade structure at Eastshore Elementary School.

Items Removed From Consent Calendars

Receive Bids/Award Contract Woodbridge High School Modernization

Director Lloyd Linton provided clarification to Members McInerney and Parham regarding the revised recommendation and reasons for the range between low and high bids.

On the motion of Member McInerney, seconded by Member Kuwabara and carried 5-0, the Board, acting as the governing body of Community Facilities District No. 86-1, approved the withdrawal of the five (5) bids listed, rejected all bids in Bid Category #07-1 Roofing (to be re-bid at a later date), rejected all bids listed as non-responsive, and authorized the Assistant Superintendent/CFO of Business Services to enter into contracts with the lowest responsible bidders for each remaining bid category as listed in the board report.

Authorization to Renew Lease of Two (2) Relocatable Classrooms at Alderwood Basics Plus Elementary School

Member Parham requested clarification regarding the rationale for leasing vs. purchasing relocatables.

On the motion of Member Parham, seconded by Member McInerney and carried 5-0, the Board, acting as the governing body of Community Facilities District No. 01-1, authorized the Assistant Superintendent/CFO of Business Services to enter into a contract with Mobile Modular Management Corporation to renew the lease for two (2) 24' x 40' DSA approved relocatable classrooms at Alderwood Basics Plus Elementary School.

Items of Business

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

Second Interim Report of 2008-09 (AB 1200, Chapter 1213, Statutes of 1991)

Assistant Superintendent Lisa Howell reviewed the Second Interim Report certifying the District's ability to meet its multi-year financial commitments. Based on the state enacted budget, Howell projected a \$9 million shortfall in 2010-11, and advised that the significant reduction in state funding will require local revenue enhancements or expenditure reductions in order to meet future financial obligations.

The Board discussed the potential impacts of categorical flexibility and possible use of redevelopment funds.

On the motion of Member McInerney, seconded by Member Kuwabara and carried 5-0, the Board certified the Second Interim Report of 2008-09 as "Positive" based on information presented.

Secondary Course of Study Grades 7-12 for 2009-2010

Assistant Superintendent Cassie Parham reviewed the Secondary Course of Study and responded to questions from the Board regarding foreign language trends, parity of course offerings, and effects of school size on middle school electives. The Board expressed a desire to enhance visual and performing arts programs where possible.

On the motion of Member McInerney, seconded by Member Wallin and carried 5-0, the Board approved the Secondary Course of Study – Grades 7-12 for the 2009-2010 school year.

PUBLIC HEARING: Joint Bargaining Proposal – Wages and Working Conditions, California School Employees Association and the Irvine Unified School District

On the motion of Member McInerney, seconded by Member Parham and carried 5-0, the Board, after holding a public hearing and receiving no comments, adopted the initial joint proposal of the California School Employees Association and the Irvine Unified School District in order to initiate the bargaining process.

RESOLUTION NO. 08-09-47: Intent to Grant Easement Adjacent to Los Naranjos/Early Childhood Learning Center Site to the City of Irvine for Street Improvements and Continued Maintenance

On the motion of Member Kuwabara, seconded by Member McInerney and carried 5-0, the Board adopted Resolution No. 08-09-47 giving notice of intent to grant an easement to the City of Irvine upon a portion of property adjacent to Los Naranjos School site located at 1 Smoketree Lane, Irvine, CA 92604, including Smoketree Lane in the City's system of streets and allow the

City of Irvine to continue ongoing maintenance, as well as complete planned street improvements and set the Board meeting date of April 3, 2009, for the required public hearing.

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

**PUBLIC HEARING: Consideration and Adoption of RESOLUTION NO. 08-09-48
Approving a School Facilities Needs Analysis and Adopting Alternative School Facility
Fees in Compliance with Government Code Sections 65995.5, 65995.6 and 65995.7 and
Making Related Findings and Determinations (Level 2 & 3 Fees)**

On the motion of Member McInerney, seconded by Member Kuwabara and carried 5-0, the Board, after holding a public hearing and receiving no comments, adopted Resolution No. 08-09-48, approving a School Facilities Needs Analysis and Adopting Alternative School Facility Fees in Compliance with Government Code Sections 65995.5 and 65995.6 and 65995.7 and Making Related Findings and Determinations (Level 2 and 3 Fees).

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

Expulsion Plan for the Irvine Unified School District

The Board directed staff to ensure that IUSD intervention strategies are reflected in the countywide plan and to review middle school expulsion data to determine if numbers are increasing.

On the motion of Member McInerney, seconded by Member Parham and carried 5-0, the Board approved the proposed Expulsion Plan for the Irvine Unified School District in compliance with the Orange County Department of Education Countywide Expulsion Plan.

CFD Items of Business

**RESOLUTION NO: 08-09-49: Authorizing the Issuance of Not to Exceed \$44,500,000
Aggregate Principal Amount of Irvine Unified School District Community Facilities
District No. 06-1 (Portola Springs) Adjustable Rate Special Tax Notes, and Approving the
Execution and Delivery of an Indenture, a Reimbursement Agreement, a Note Purchase
Agreement, a Remarketing Agreement and a Protocol Agreement and the Preparation of
an Official Statement**

Adam Bauer, Fieldman Rolapp and Associates, reviewed the process for issuance of Adjustable Rate Special Tax Notes and responded to questions from the Board.

On the motion of Member McInerney, seconded by Member Kuwabara and carried 5-0, the

Board adopted Resolution No. 08-09-49 authorizing the issuance of the Notes in the aggregate principal amount of not to exceed \$44,500,000, approved the execution and delivery of the Indenture, the Reimbursement Agreement, the Note Purchase Agreement, the Remarketing Agreement and the Protocol Agreement and approved the preparation and distribution of the Official Statement.

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

Oral Communication

None

Adjournment

On the motion of Member Wallin, seconded by Member Parham and carried 5-0, there being no further Board of Education business, the meeting was adjourned at 9:02 p.m.

Gavin Huntley-Fenner, Ph.D.
Board President

Gwen E. Gross, Ph.D.
Superintendent of Schools