

Irvine Unified School District Minutes

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Regular Meeting of the Board of Education

March 18, 2014
Tuesday, 06:30 PM
Administrative Center
5050 Barranca Parkway
Irvine, CA 92604

Attendees

Paul Bokota	Board Member
Lauren Brooks	Board Member
Michael Parham	Board Member
Sharon Wallin	Board Member

1. CALL TO ORDER

Minutes

President Wallin called the meeting to order at 5:15 p.m.

2. ORAL COMMUNICATION *

Pending-a. Addressing the Board

Opportunities for public input occur at the beginning of each agenda item and at Oral Communication (for items not on the agenda). Persons wishing to address the Board should complete a blue request form, available on the information table, and submit it to the Board Secretary. Each topic or item is limited to 30 minutes; each speaker is limited to 3 minutes.

Minutes

None

3. CLOSED SESSION

Pending-a. Closed Session

Conducted in accordance with applicable sections of California law, Closed Sessions are not open to the general public. If additional time is required, the Board will reconvene the Closed Session at the end of the regular meeting.

Pending-b. Student Discipline Issues (1 case) [Education Code Sections 35146 and 48918(c)]

Minutes

The Board discussed one student discipline issue.

Pending-c. Conference with Real Property Negotiators [Government Code Section 54956.8]

Property: Approximately 40 acres located at the southeast corner of Irvine Blvd and future "B" Street

Agency Negotiator: Andreas Chialtas and John Fogarty, Assistant Superintendent, Business Services

Negotiating Parties: Irvine Unified School District (Buyer) and Heritage Fields El Toro, LLC (Seller)

Under Negotiation: Price and terms of payment for the proposed Property

Minutes

The Board met with legal counsel to discuss negotiations relative to real property.

4. RECONVENE REGULAR MEETING - 6:30 PM

Minutes

President Wallin reconvened the meeting at 6:37 p.m.

5. PLEDGE OF ALLEGIANCE / ROLL CALL / MOMENT OF SILENCE

Minutes

The Pledge of Allegiance to the Flag of the United States of America was led by Student Member Luu and was followed by a moment of silence in memory of former IUSD staff member VaNita Duncan, who passed away on March 4.

Members Present:

Paul Bokota
Lauren Brooks
Michael Parham
Sharon Wallin

Student Members Present:

Gabby Bozmarova
Sean Choi
Rui Jing Jiang
Andre Luu

Staff:

Terry L. Walker, Superintendent of Schools
John Fogarty, Assistant Superintendent, Business Services
Cassie Parham, Assistant Superintendent, Education Services
Lee Brooks, Executive Assistant to the Superintendent

6. REPORT OF CLOSED SESSION DISCUSSION/ACTIONMinutes

President Wallin reported on the discussion in Closed Session.

7. STUDENT DISCIPLINE**Pending-a. Case No. 01E-1314** (V)

Approve the panel recommendation to expel Case No. 01E-1314 for the remainder of the first semester and the second semester of the 2013-14 school year; however, the expulsion will be suspended for the second semester of the 2013-14 school year.

Minutes

On the motion of Member Bokota, seconded by Member Brooks and carried 4-0, the Board approved the panel recommendation to expel Case No. 01E-1314 for the remainder of the first semester of the 2013-14 school year, however, the expulsion will be suspended for the second semester of the 2013-14 school year in accordance with the expulsion panel's findings of fact, conclusions of law, and recommendations, as amended in Closed Session.

Motion made by: Paul Bokota

Seconded by: Lauren Brooks

Votes

Paul Bokota	Yes
Lauren Brooks	Yes
Michael Parham	Yes
Sharon Wallin	Yes

8. APPROVAL OF MINUTES**Pending-a. Approval of Minutes** (D) (V)

Approve the minutes of the following meetings, as presented:

March 4, 2014 Regular Meeting

Motion made by: Paul Bokota

Seconded by: Lauren Brooks

Votes

Paul Bokota	Yes
Lauren Brooks	Yes
Michael Parham	Yes

Sharon Wallin Yes

9. ADOPTION OF AGENDA

Pending-a. Adoption of Agenda (D) (V)

Adopt the agenda, as presented.

Minutes

The Board adopted the agenda, as revised.

Items removed from Consent Calendars for discussion:

Item 20c - Retention of Construction Management Additional Services for Jeffrey Trail Middle School

MOVE Item 22e - FIRST READING - Proposed Revisions to BP 3513.3: Tobacco-Free Schools/Smoking and BP 5136.6: Use of Tobacco Products to Item 22a

MOVE Item 22b - Second Interim Report of 2013-14 (AB1200, Chapter 1213, Statutes of 1991) to Item 22d

Motion made by: Paul Bokota

Seconded by: Lauren Brooks

Votes

Paul Bokota	Yes
Lauren Brooks	Yes
Michael Parham	Yes
Sharon Wallin	Yes

10. SPECIAL PRESENTATIONS / RECOGNITIONS

Pending-a. Arts Orange County

Presenter: Pat Wayne, Deputy Director

- Imagination Celebration Poster Contest Runner Up
Nika Hajikhodaverdikhan, Sierra Vista Middle School - 8th grade

Minutes

Deputy Director Pat Wayne expressed appreciation to the Board and District for their continued commitment to the arts and introduced student Nika Hajikhodaverdikhan, who presented her poster which was selected as runner-up in the Imagination Celebration Poster contest.

Pending-b. Coalition for Adequate School Housing (CASH) Award

Presenters: Jim Kisel, Principal/Director of School Planning and Kim Coffeen, Project Manager, LPA, Inc.

- Leroy F. Greene Design and Planning Award of Excellence for Comprehensive District Facilities Master Plan
Minutes

LPA Principal Jim Kisel presented the Leroy F. Greene Design and Planning Award of Excellence, awarded to LPA and IUSD for their Comprehensive District Facilities Master Plan by the Coalition for Adequate School Housing (CASH).

Pending-c. Irvine Public Schools Foundation

Julie Tapp, Executive Vice President

Minutes

Julie Tapp provided an update on IPSF programs and activities including the Parents Appreciating Teachers & Staff Campaign (applications due March 28); the distribution of IPSF's Flyer Booklet, designed to consolidate outside program opportunities for Irvine families; the Irvine Pakistani Parents Association cricket tournament finals on March 23, and an overview of IPSF's summer enrichment programs. Other upcoming events were announced including the Donald Bren Honors Concert on April 30, and the Tee It Up for Education Golf Tournament on May 12.

11. ORAL COMMUNICATION *

Minutes

Sharon Wigal, PTA Council President, reported on the topics for tomorrow's Council meeting including a debriefing on the March 12 H.S. Advocacy Trip to Sacramento, and an overview of the California Core and LCAP by district staff.

Speaking to the topic of high school boundaries:

Jan Isenberg
Magi Yang

Janelle Cranch, CSEA President, remarked on the H.S. Advocacy Trip and its impact on legislators, Appreciating Classified Employees (ACE) Day on March 27, and her attendance of the California Labor Federation Conference.

Speaking in support of a Spanish Immersion Program:

Heather King
Lilly Toledo

12. STUDENT BOARD MEMBER REPORTS

Minutes

Student Members Bozmarova, Choi, Jiang and Luu reported on school activities.

13. SUPERINTENDENT'S REPORTMinutes

Superintendent Walker reported his attendance of the 15th Annual Holocaust Art and Writing contest on March 7, and the Mayors in Education Convening meeting in Washington, D.C. on March 13-14, wherein mayors from across the country were invited by Bill Gates to discuss the critical importance of the Common Core. He congratulated Northwood, University, and Irvine high schools, selected by the OC Register as three of the top 18 best high schools in Orange County, and extended kudos to NHS which received its fifth Grammy Award since 1999. He thanked the Continuous Improvement Committee members for their work, and recognized Sandi Henry and Petra Schaefer for their coordination and facilitation of the H.S. Advocacy Trip.

14. ANNOUNCEMENTS AND ACKNOWLEDGMENTSMinutes

Board Members Bokota, Brooks, Parham and Wallin reported on school visits, conference attendance and meeting participation.

President Wallin reported on OCSBA's upcoming meeting featuring State Board of Education Member Sue Burr on April 2, advising questions could be submitted in advance.

15. CONSENT CALENDAR**Pending-a. Consent Calendar** (V) (C)

All matters of the Consent Calendar are considered to be routine and will be enacted by the Board in one motion, without prior discussion. At the time the Board adopts the agenda an item may be removed from the consent calendar by the Board, staff, or community for discussion.

Motion made by: Paul Bokota

Seconded by: Michael Parham

Votes

Paul Bokota	Yes
Lauren Brooks	Yes
Michael Parham	Yes
Sharon Wallin	Yes

16. CONSENT CALENDAR - Business Services**Pending-a. Check Register Report** (V) (C)

Ratify issuance of check numbers as listed, representing Board authorized purchase orders, invoices and contracts:

District 75, Irvine Unified School District - Numbers **00191879** through **00192566**

District 50, CFD No. 01-1 – Numbers **00001657** through **00001658**

District 44, CFD No. 86-1 - Numbers **00005241** through **00005260**

Revolving Cash - Numbers **39417** through **39497**

Pending-b. Purchase Order Detail Report (V) (C)

Approve the Purchase Order Detail Report dated March 7, 2014.

Pending-c. Contract Services Action Report 2013-14/13 (V) (C)

Approve and/or ratify the Contract Services Action Report 2013-14/13, as submitted.

17. CONSENT CALENDAR - Education Services**Pending-a. Field Trips and Excursions** (V) (C)

Approve field trips funded by donations as submitted.

18. CONSENT CALENDAR - Human Resources**Pending-a. Certificated Personnel Action Report 2013-14/12** (V) (C)

Approve and/or ratify the Certificated Personnel Action Report 2013-14/12 as submitted for Employment.

Pending-b. Classified Personnel Action Report 2013-14/12 (V) (C)

Approve and/or ratify the Classified Personnel Action Report 2013-14/12 as submitted for Employment and Separations.

19. CONSENT CALENDAR - Special Education**Pending-a. Payment for Nonpublic School / Agency Services for Special Education Students** (V) (C)

Authorize the Director of Special Education to contract with and approve the individual pupil service contract(s) for disabled student(s) negotiated between the Irvine Unified School District and State Certified Nonpublic Schools/Agencies.

Pending-b. Contract for Special Education Related Services (V) (C)

Authorize payment for special education related services in an amount not to exceed \$26,970.00 for ongoing educational services to one family.

Pending-c. Payment in Accordance with the Terms of the Settlement Agreement(s)

(V) (C)

Approve agreement to settle four cases in accordance with the terms of the Settlement Agreement(s) and authorize the Executive Director of Special Education to enter into the negotiated agreements.

20. FACILITIES CONSENT CALENDAR**Pending-a. Facilities Consent Calendar** (V) (C)

All matters of the Community Facilities District Consent Calendar are considered to be routine and will be enacted by the Board in one motion, without prior discussion. At the time the Board adopts the agenda, an item may be removed from the Consent Calendar by the Board, staff, or community for discussion.

Motion made by: Michael Parham

Seconded by: Lauren Brooks

Votes

Paul Bokota	Yes
Lauren Brooks	Yes
Michael Parham	Yes
Sharon Wallin	Yes

Pending-b. Change Order Request Cypress Village Elementary School Project (V) (C)

Approve the listed change order in the amount of \$17,131.00, at the Cypress Village Elementary School project. No change to the completion date.

Pending-c. Retention of Construction Management Additional Services for Jeffrey Trail Middle School (V) (C)

Authorize the Assistant Superintendent of Business Services to enter into a contract for Construction Management additional services with the firm of C.W. Driver for relocatable placement at Jeffrey Trail Middle School.

Minutes

President Wallin requested clarification regarding the specific placement of relocatables at Jeffrey Trail Middle School, public notice efforts, and the bid process.

Motion made by: Sharon Wallin

Seconded by: Paul Bokota

Votes

Paul Bokota	Yes
Lauren Brooks	Yes
Michael Parham	Yes
Sharon Wallin	Yes

21. ITEMS REMOVED FROM CONSENT CALENDARS

22. ITEMS OF BUSINESS

Pending-a. Siting of the Fifth Comprehensive High School (D)

For discussion.

Minutes

Assistant Superintendent Fogarty reviewed the topics for discussion and introduced staff and consultants present.

Placeworks consultants Dwayne Mears and Denise Clendening reviewed the environmental studies completed to date for both Sites A and B, and responded to Board questions regarding specific findings for each site and potential impacts of grading, seismic activity, etc. Clendening reiterated that all regulatory agencies had agreed there was no concern relative to Site A. She reported a greater likelihood of contamination on Site B based on previous use, proximity to an identified ground water plume, and continued designation as a Superfund site.

Facilities Director Lorrie Ruiz reviewed the status of state approvals and Tom Cavanaugh, School Advisors, reported that though the potential for a November 2014 bond still remains, future state funding is uncertain at best. Kevin Wilkeson, HMC Architects, reported on grading coordination efforts and impacts to design timelines. Lloyd Linton reviewed the project and construction timelines for both sites, including several construction schedule scenarios for Site A. Lorrie Ruiz presented high school enrollment projections, excluding all entitled Heritage Fields units, which would move the high school opening threshold to 2017.

Speaking to the topic:

Chris King

Member Parham expressed concern about the accuracy of the generation rates being used for new developments, and the greater need to ensure adequate facilities for current IUSD students. He then suggested the Board's consideration of a transfer of territory from the Great Park to the Saddleback Valley Unified School District (SVUSD). Legal counsel Andreas Chialtis provided a general overview of the transfer of territory process, which is facilitated by the Orange County Committee on School District Organization. Chialtis further disclosed that since his law firm (Atkinson, Andelson, Loya, Ruud and Romo) also represents SVUSD, a waiver would be required to continue his services.

President Wallin voiced her concern about the continual project delays and the need for complete cooperation from Five Point Communities in order to open High School #5 in 2016,

as well as any future schools located in the Great Park.

On the motion of Member Parham, seconded by Member Wallin and carried 4-0, the Board directed staff to engage with Saddleback Valley Unified School District to determine the plausibility of a transfer of territory to the Saddleback Valley Unified School District, and to explore land acquisition options with the Irvine Company.

Motion made by: Michael Parham

Seconded by: Sharon Wallin

Votes

Paul Bokota	Yes
Lauren Brooks	Yes
Michael Parham	Yes
Sharon Wallin	Yes

President Wallin called a recess at 9:58 p.m. and reconvened the meeting at 10:09 p.m.

Pending-b. Second Interim Report of 2013-14 (AB 1200, Chapter 1213, Statutes of 1991) *(D) (V)*

Certify the Second Interim Report of 2013-14 as "Positive" based on information presented.

Minutes

Assistant Superintendent Fogarty reviewed the Second Interim Report including highlights of the Governor's 2014-15 State Budget proposal, State General Fund revenue projections, and Proposition 98 Forecast. An overview of the Local Control Funding Formula (LCFF) was provided, as well as IUSD's projected funding under the new formula. Three-year revenue and expenditure assumptions were presented, including a projected elimination of our structural deficit in 2014-15.

President Wallin reiterated the Board's desire to provide input during the budget prioritization process.

Motion made by: Lauren Brooks

Seconded by: Paul Bokota

Votes

Paul Bokota	Yes
Lauren Brooks	Yes

Michael Parham	Yes
Sharon Wallin	Yes

Pending-c. Resolution No. 13-14-31: Adopting an Initial Study and Mitigated Negative Declaration and Approving a Phase I Environmental Site Assessment for the Proposed Portola Springs Elementary School Project and Authorization to File a Notice of Determination - Roll Call (D) (V)

- 1) Consider all public comments and responses.
- 2) Approve the Phase I Environmental Site Assessment and all environmental documents, and adopt the Initial Study and Mitigated Negative Declaration for acquisition and construction of the Portola Springs Elementary School Project.
- 3) Authorize staff to file the Notice of Determination with the required agencies.

Motion made by: Paul Bokota
Seconded by: Lauren Brooks

Votes

Paul Bokota	Yes
Lauren Brooks	Yes
Michael Parham	Yes
Sharon Wallin	Yes

Pending-d. FIRST READING - Board Policy 5145.5: Nondiscrimination/Harassment - Students (D) (V)

Approve for first reading proposed revisions to Board Policy 5145.5:
 Nondiscrimination/Harassment - Students.

Minutes

On the motion of Member Parham, seconded by Member Brooks and carried 4-0, the Board waived the second reading and approved proposed revisions to Board Policy 5145.5:
 Nondiscrimination/Harassment - Students.

Motion made by: Michael Parham
Seconded by: Lauren Brooks

Votes

Paul Bokota	Yes
Lauren Brooks	Yes
Michael Parham	Yes
Sharon Wallin	Yes

Pending-e. FIRST READING - Proposed Revisions To Board Policy 3513.3: Tobacco-Free Schools/Smoking and Board Policy 5136.6: Use of Tobacco Products (D) (V)

Approve for first reading proposed revisions to Board Policy 3513.3: Tobacco-Free Schools/Smoking and Board Policy 5136.6: Use of Tobacco Products.

Minutes

Guidance Resources Coordinator Jenna Berumen provided a Powerpoint presentation including student tobacco use data, the impacts of electronic nicotine delivery devices (ENDDS), and the District's efforts to educate students about the effects of tobacco use and prevention strategies.

Student Board members weighed in advising a general increase in the use of E-cigarettes based on the perception that they are safe, and the need to begin educating students at the middle school level about the negative impacts of tobacco and electronic devices.

Member Wallin requested clarification regarding the District's disciplinary action for tobacco use and whether or not it was addressed in Education Code.

On the motion of Member Parham, seconded by Member Brooks and carried 4-0, the Board waived the second reading and approved the proposed revisions to Board Policy 3513.3: Tobacco-Free Schools/Smoking, and Board Policy 5136.6: Use of Tobacco Products.

Motion made by: Michael Parham

Seconded by: Lauren Brooks

Votes

Paul Bokota	Yes
Lauren Brooks	Yes
Michael Parham	Yes
Sharon Wallin	Yes

23. ORAL COMMUNICATION *Minutes

None

24. CLOSED SESSION**Pending-a. Closed Session**

Conducted in accordance with applicable sections of California law, Closed Sessions are not open to the general public.

25. ADJOURNMENT**Pending-a. Adjournment** (V)Minutes

The meeting was adjourned at 10:43 p.m.

Motion made by: Paul Bokota

Seconded by: Michael Parham

Votes

Paul Bokota	Yes
Lauren Brooks	Yes
Michael Parham	Yes
Sharon Wallin	Yes

Board President

Superintendent of Schools