

Irvine Unified School District
Irvine, California

Board of Education
Minutes of Regular Meeting
February 2, 2010

Call to Order

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

Roll Call

Members Present:

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

Members Absent:

None

Oral Communication

None

Closed Session

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

Student Discipline Issues

The Board discussed ten student discipline issues.

Conference with Legal Counsel – Existing Litigation

The Board met with legal counsel regarding three existing litigation issues:

- ▶ OAH Case No. 2990050088
- ▶ Central District of California Case No. SACV09-949 AG (ANX)
- ▶ CEQA Lawsuit filed by the City of Irvine relative to the Stadium at University High School

Conference with Labor Negotiators

The Board discussed labor negotiations related to the Irvine Teachers Association and provided direction to staff.

Reconvene Regular Meeting

President Wallin reconvened the meeting at 7:05 p.m.

Pledge of Allegiance

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

Roll Call

Members Present:

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

Members Absent:

None

Student Members Present:

Dennis Cook, Skylar Karol, Gal Sadlik, Lucas Salzman

Student Members Absent:

Laura Bran, Brianne Searl

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:

Mary Bevernick, Nancy Bower, Irene Brady, Kelli Cheshire, Shelley Edgar,
Kimberly Fenton, Donna Florendo, Lisa Friedberg, Pat Godwin, Ian Hanigan,
Jennifer Herman, Sonia Kearney, Stan Machesky, Lisa Mennes, Rick Seibert,
Mark Sontag, Teresa Stringer, Brad Van Patten, Cindy Vandemoortel

Video Production:

James Adling
Brian Des Palmes

Closed Session Report

President Wallin reported on the discussion in Closed Session.

Student Discipline Issues

The Board approved the following staff recommendations for expulsion:

Student No. 191083138 through June 23, 2010

Motion: Member McInerney
Second: Member Parham
Carried: 5-0

Student No. 128000122 through June 23, 2010

Motion: Member Kuwabara
Second: Member Parham
Carried: 5-0

Student No. 191072813 through June 23, 2010

Motion: Member Huntley-Fenner
Second: Member McInerney
Carried: 5-0

Student No. 160990081 through June 23, 2010, with immediate suspension of the expulsion allowing the student to return with probationary status

Motion: Member Kuwabara
Second: Member McInerney
Carried: 5-0

Student No. 160990479 through June 23, 2010, with immediate suspension of the expulsion allowing the student to return with probationary status

Motion: Member McInerney
Second: Member Parham
Carried: 5-0

Student No. 160010001 through June 23, 2010

Motion: Member Parham
Second: Member Huntley-Fenner
Carried: 5-0

Student No. 191032340 through June 23, 2010

Motion: Member Kuwabara
Second: Member McInerney
Carried: 5-0

Student No. 191064754 through June 23, 2010

Motion: Member Huntley-Fenner

Second: Member Parham

Carried: 5-0

Student No. 990118 through June 23, 2010

Motion: Member McInerney

Second: Member Parham

Carried: 5-0

Student No. 191091312 through June 23, 2010

Motion: Member Parham

Second: Member McInerney

Carried: 5-0

Approval of Minutes

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

November 10, 2009 Special Meeting

November 17, 2009 Regular Meeting

Adoption of the Agenda

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

Items Removed from Consent Calendars for Discussion and Separate Action:

Item 13c - *Payment in Accordance with the Terms of the Settlement Agreement(s)*

Special Presentations/Recognitions

IPSF Update

IPSF representative Cheryl Braun reported on the Foundation's Five Week Campaign focused on raising funds for classroom support in 2010-11, and highlighted other foundation-supported programs including ACE, PACE, the Honors Concert, Parent Volunteer of the Year, Instrumental Rental, and PATS.

PTA Council Update

PTA Council President Steffanie Early reported on the annual Reflections arts competition,

advising that five students were selected to go on to compete at the state level, and announced that PTA Council would co-sponsor the second annual LEAPS conference. Other PTA activities were highlighted including "Take Your Family to School Week" - Feb 7-13.

Oral Communication

Ann Yadlowsky spoke in support of funding for Music education.

Student Board Member Reports

Student Members Cook, Karol, Sadlik and Salzman reported on school activities.

Superintendent's Report

Superintendent Gross provided a brief budget update and a reminder of the upcoming Budget Study Session on February 9. Upcoming district activities were announced including the District Science Fair on February 3, and the LEAPS Conference on February 6. Individual school efforts in support of Haiti earthquake victims were highlighted and congratulations were extended to UHS junior Thomas Hsu, who earned a perfect SAT score.

Announcements and Acknowledgments

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

Consent Calendar

On the motion of Member McInerney, seconded by Member Kuwabara and carried 5-0 (Student Members voting "Yes"), 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. **Contract for Special Education Related Services**
Authorized payment for special education related services in an amount not to exceed \$11,920.00.
3. **Request to Waive the California High School Exit Exam as a Requirement for**

Graduation for Students Receiving Special Education Services

Approved request to waive the requirement to pass the California High School Exit Examination as a condition of receiving a diploma of graduation for identified students.

4. **Submission of the 2009-2010 Consolidated Application, Part II**
Approved the submission of the District's Consolidated Application, Part II for 2009-10 to the California Department of Education.
5. **Budget Development Calendar for Fiscal Year 2010-2011**
Approved the IUSD Budget Development Calendar for Fiscal Year 2010-2011.
6. **Purchase Order Detail Report**
(A written report is on file in the District Office.)
Approved the Purchase Order Detail Report dated January 21, 2010.
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 00139155 through 00140339
District 50, Community Facilities District No. 01-1 - Numbers 00001429 through 00001434
District 44, Community Facilities District No. 86-1 - Numbers 00004059 through 00004072
District 41, Irvine Child Care Project - Numbers 00002403 through 00002416
Revolving Cash - Numbers 32454 through 32603
8. **Contract Services Action Report**
(A written report was included with the agenda and is on file in the District Office.)
Approved and/or ratified the Contract Services Action Report 2009-10/10, as submitted.
9. **Rescind Awards of June 2, 2009 and Authorize Award of Contracts for the Purchase of School and Office Furniture for Various Sites Per the IUSD's School and Office Furniture Bid #08-09-01**
Rescinded the award of contracts approved on June 2, 2009 and rejected the piggy-back feature contained in the bid documents. Additionally, authorized the Assistant Superintendent/CFO of Business Services to award contracts for the purchase of school and office furniture items as listed for various sites renewable for up to 5 (five) years to the following vendors pursuant to Bid No. 08-09-01: Corporate Business Furniture (CBF), McMahan Business Interiors and Virco, Inc.
10. **Classified Personnel Action Report**
(A written report was included with the agenda and is on file in the District Office.)
Approved and/or ratified the Classified Personnel Action Report 2009-10/10, as submitted for Employment and retirement.
11. **Certificated Personnel Action Report**

(A written report was included with the agenda and is on file in the District Office.)
Approved and/or ratified the Certificated Personnel Action Report 2009-10/10, as submitted for Employment.

12. **Gifts**

(A written report was included with the agenda and is on file in the District Office.)
Accepted gifts to the District, as listed.

13. **Field Trips and Excursions**

Approved the following field trips funded by donations —

- 1) Irvine High School boys track and field to Fresno, California, on February 5-7, 2010 for \$600.00;
- 2) Woodbridge High School Entertainers/Encore students to Anaheim, California, on February 10, 2010 for \$560.00;
- 3) University High School Junior State of America students to Long Beach, California, on February 13-14, 2010 for \$3,500.00;
- 4) Woodbridge High School physics, anatomy and physiology students to Buena Park, California, on March 4, 2010 for \$3,200.00;
- 5) Northwood High School Model United Nations students to Berkeley, California, on March 5-7, 2010 for \$9,000.00;
- 6) Oak Creek 5th grade students to Oak Glen, California, on March 25, 2010 for \$3,220.00;
- 7) Irvine Home School 4th – 8th grade students to Bonsall, California, on April 14-16, 2010 for \$3,700.00;
- 8) Turtle Rock 4th grade students to Anaheim, California, on June 10, 2010 for \$5,084.00.

Facilities Consent Calendar

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

1. **Change Order – Stone Creek Elementary School – Modernization Project**
Approved the listed change order in the deductive amount of <\$4,042.00>, at the Stone Creek Elementary School Modernization project. No change to the completion date.
2. **Change Orders – Lakeside Middle School – Modernization Project**
Approved the listed change orders in the cumulative amount of \$38,583.00, at the Lakeside Middle School Modernization project. No change to the completion date.
3. **Change Orders – Woodbridge High School – Modernization Project**
Approved the listed change orders in the cumulative amount of \$9,680.00, at the Woodbridge High School Modernization project. No change to the completion date.

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4. **Change Order – Woodbridge High School – Interim Housing Project**
Approved the listed change order in the amount of \$27,789.76, at the Woodbridge High School Interim Housing project. No change to the completion date.
 5. **Notice of Completion – Stone Creek Elementary School – Modernization Project**
Accepted the contract of the listed contractor for the Stone Creek Elementary School Modernization project as complete and authorized staff to file a Notice of Completion with the County of Orange Recorder's Office.
 6. **Notice of Completion – Woodbridge High School – Interim Housing Project**
Accepted the contract of the listed contractor for the Woodbridge High School Interim Housing project as complete and authorized staff to file a Notice of Completion with the County of Orange Recorder's Office.
 7. **Notice of Completion – Replacement of One (1) Existing Shade Structure and Relocation of One (1) Relocatable Classroom at Eastshore Elementary School**
Authorized the Assistant Superintendent/CFO of Business Services to accept the one (1) 30' x 40' x 10' (height) shade structure and the relocation of one (1) 48' x 40' relocatable classroom at Eastshore Elementary School as complete, and authorized staff to file a Notice of Completion with the County of Orange Recorder's Office.
 8. **Authorization to Renew Lease of Two (2) Relocatable Classrooms at Alderwood Basics Plus Elementary School**
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 of two (2) 24' x 40' DSA approved relocatable classrooms at Alderwood Basics Plus Elementary School.
 9. **Community Facilities District No. 09-1 Special Tax Notes**
For the Board's information.

Items Removed From Consent Calendars

Payment in Accordance with the Terms of the Settlement Agreement(s)

Member Parham expressed his ongoing concern about the fiscal impacts of settlement agreements on the overall program and encouraged staff and legal counsel to be vigilant in challenging any refutable claims.

On the motion of Member McInerney, seconded by Member Kuwabara and carried 4-1 (Member Parham voting "No"), the Board authorized payment in an amount not to exceed \$75,000.00 in accordance with the terms of the Settlement Agreement(s).

Items of Business

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

State of the Budget – Update

Assistant Superintendent Lisa Howell provided a brief update on the state's budget crisis reporting an additional loss of \$250 per student, resulting in a projected shortfall for IUSD of nearly \$23.8 million. She cautioned that the numbers would continue to change.

PUBLIC HEARING: Joint Bargaining Proposal Regarding the 2010-2011 Agreement Between Irvine Unified School District and California School Employees Association

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

PUBLIC HEARING: Joint Bargaining Proposal Regarding the 2009-2010 and the 2010-2011 Agreement Between Irvine Unified School District and Irvine Supervisory Association

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 joint proposal of the Irvine Supervisory Association and the Irvine Unified School District in order to initiate the bargaining process on these Articles.

PUBLIC HEARING: Joint Bargaining Proposal Regarding the 2010-2011 Agreement Between Irvine Unified School District and Irvine Teachers Association

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 joint proposal of the Irvine Teachers Association and the Irvine Unified School District in order to initiate the bargaining process on these Articles.

RESOLUTION NO. 09-10-45: Initiate Proceedings for the Levy and Collection of Assessments Within the Irvine Unified School District Recreation Improvement and Maintenance District for Fiscal Year 2010-11

On the motion of Member Kuwabara, seconded by Member McInerney and carried 5-0, the Board adopted Resolution No. 09-10-45 which authorizes the initiation of proceedings for the levy and collection of assessments for fiscal year 2010-11 within the IUSD Recreation Improvement and Maintenance District.

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

Oral Communication

None

Adjournment

On the motion of Member Huntley-Fenner, seconded by Member Parham and carried 5-0, there being no further Board of Education business, the meeting was adjourned at 7:55 p.m.

Sharon Wallin
Board President

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