

**Irvine Unified School District**  
*Irvine, California*

**Board of Education**  
**Minutes of Regular Meeting**  
**February 3, 2009**

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**Call to Order**

The Regular Meeting of the Board of Education was called to order by President Huntley-Fenner at 6:02 p.m., in the District Administration Center, 5050 Barranca Parkway, Irvine, California.

**Roll Call**

Members Present:

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

Members Absent:

Member Parham (*excused*)

**Oral Communication**

None

**Closed Session**

The Board adjourned to Closed Session at 6:05 p.m.

**Student Discipline Issues**

The Board discussed four student discipline issues.

**Conference with Labor Negotiators**

The Board discussed labor negotiations and provided direction to staff.

**Conference with Real Property Negotiators**

The Board discussed real property negotiations and provided direction to staff.

**Reconvene Regular Meeting**

President Huntley-Fenner reconvened the meeting at 7:08 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:**

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

#### **Members Absent:**

Member Parham (excused)

#### **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:**

Robin Beacham, Mary Bevernick, Ian Hanigan, Joe Hoffman, Catherine Holmes,  
Eamon Kane, Lloyd Linton, Barb Petro, Lauren Sipelis, Peter Wong

#### **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 Kuwabara, seconded by Member Wallin and carried 4-0, the Board expelled Student No. 981769 through the end of the 2008-09 school year.

On the motion of Member McInerney, seconded by Member Kuwabara and carried 4-0, the Board expelled Student No.152010030 through the end of the 2008-09 school year.

On the motion of Member Kuwabara, seconded by Member McInerney and carried 4-0, the Board expelled Student No. 191062639 through the first semester of the 2009-10 school year.

On the motion of Member Wallin, seconded by Member McInerney and carried 4-0, the Board expelled Student No. 191030748 through the first semester of the 2009-10 school year.

### ***Approval of Minutes***

On the motion of Member Kuwabara, seconded by Member McInerney and carried 4-0, the Board approved the following Minutes, as presented.

January 13, 2009 Regular Meeting  
January 22, 2009 Special Meeting

### ***Adoption of the Agenda***

On the motion of Member Kuwbara, seconded by Member McInerney and carried 4-0, the Board adopted the agenda, as amended:

REVISE      *Item 15a - Certificate of Authorized Officers for Irvine Unified School District – Community Facilities District Nos. 86-1, 07-1, 06-1 and 01-1*

### ***Special Presentations/Recognitions***

#### **Cans for Cash Program**

Sarah Mills and Angie Burgh from the City of Irvine, joined Joe Hoffman, Director of Maintenance & Operations, to announce the results of this year's Cans for Cash Recycling Challenge. The City was again awarded \$5,000 for "Most Innovative Campaign," which garnered nearly one million cans. Award proceeds will benefit the Irvine Public Schools Foundation.

#### **IPSF Fundraising Update**

IPSF Board Chair Lita Robinow provided an update on the foundation's fundraising efforts and solicited donations from parents and community members which would be counted toward the remaining \$200,000 available through the City's \$904,000 matching grant fund.

### **Facilities Update**

Assistant Superintendent Lisa Howell provided an update on the district's construction and modernization projects, including identified funding sources.

### **Oral Communication**

Speaking to the topic of educational concerns involving Brywood teacher Michele Bankowski:

Myra Rodriguez  
Mitchell Fern  
Neryls Knights

Speaking to the topic of the proposed stadium at University High School:

Ron Fernandez  
Don McCrea  
Alan Lurya

### **Student Board Member Reports**

Student Members Chew, Judd, Mier y Teran and Simmons reported on school activities. Speaking on behalf of the UHS student body, Student Member Chew expressed strong support for a stadium at University High School, citing specific benefits to students.

### **Superintendent's Report**

Superintendent Gross reiterated the need to be clear about the separate funding sources for capital projects vs. operational expenses which cannot be intermixed. She provided an update on state and federal budget negotiations and reviewed district plans to address the fiscal crisis, including formation of the Budget Crisis Committee. Congratulations were extended to UHS senior Nitish Lakhanpal, who has been selected as a finalist in the annual Intel Science Talent Search.

### **Announcements and Acknowledgments**

Members Kuwabara, McInerney, Wallin and Huntley-Fenner reported on school visits, conference attendance and meeting participation. Member Wallin discussed the future of the Irvine Prevention Coalition whose grant funding will sunset June 2009.

### **Consent Calendar**

On the motion of Member Wallin, seconded by Member McInerney and carried 4-0 (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 \$9,403.00.
3. **Payment in Accordance with the Terms of the Settlement Agreement(s)**  
Authorized payment in an amount not to exceed \$79,600.00 in accordance with the terms of the Settlement Agreement(s).
4. **Submission of the 2008-2009 Consolidated Application, Part II**  
Approved the submission of the District's Consolidated Application, Part II for 2008-2009 to the California Department of Education.
5. **Purchase Order Detail Report**  
*(A copy is attached to and made a part of these minutes.)*  
Approved the Purchase Order Detail Report dated January 21, 2009.
6. **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 00127324 through 00128025
  - District 50, Community Facilities District No. 01-1 - Numbers 00001378 through 00001380
  - District 44, Community Facilities District No. 86-1 - Numbers 00003850 through 00003871
  - District 41, Irvine Child Care Project - Numbers 00002293 through 00002302
  - Revolving Cash - Numbers 31063 through 31186
7. **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 2008-09/09, as submitted.
8. **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 2008-09/09, as submitted for Employment.

9. **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 2008-09/09, as submitted for Employment.
10. **Gifts**  
*(A copy is attached to and made a part of these minutes.)*  
Accepted gifts to the District, as listed.
11. **Conference Attendance**  
Approved/ratified local/out-of-state conference attendance for staff, as follows –  
1) Rhonda DeVaux to Hattiesburg, Mississippi on January 26-28, 2009 for no cost to district;  
2) Linda O’Neal to Buffalo, New York on March 15-18, 2009 for \$910.40.
12. **Field Trips and Excursions**  
Approved the following field trips funded by donations —  
1) Woodbridge High School Honors Pre-calculus students to Irvine, California, on February 19, 2009 for \$480.00;  
2) University High School Junior Statesmen of America students to Pasadena, California, on February 21-22, 2009 for \$500.00;  
3) Santiago Hills 4<sup>th</sup> grade students to San Juan Capistrano, California, on March 6, 2009 for \$4,850.00;  
4) Brywood 4<sup>th</sup> grade students to San Juan Capistrano, California, on March 10, 2009 for \$1,100.00;  
5) Stone Creek 4<sup>th</sup> grade students to Anaheim, California on March 20, 2009 for \$2,450.00;  
6) Alderwood 5<sup>th</sup> grade students to Oak Glen, California, on April 9, 2009 for \$1,470.00;  
7) Bonita Canyon 3<sup>rd</sup> grade students to Placentia, California on April 9, 2009 for \$2,400.00;  
8) Irvine High School baseball team to Las Vegas, Nevada, on April 14-18, 2009 for \$5,000.00;  
9) Brywood 5<sup>th</sup> grade students to Oak Glen, California, on April 27, 2009 for \$1,400.00;  
10) Woodbridge cross country participants to Mammoth, California on August 9-16, 2009 for \$2,100.00;  
11) Woodbridge football participants to Catalina Island, California on August 17-20, 2009 for \$1,750.00;  
12) Woodbridge High School boys’ water polo to San Luis Obispo, California, on October 1-3, 2009 for \$1,200.00.

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### **Consent Calendar Resolutions**

On the motion of Member Wallin, seconded by Member Kuwabara and carried 4-0 (Student Members voting "Yes"), the Board took the following action on the Consent Calendar Resolutions:

**RESOLUTION NO. 08-09-36: Signature Authorization and Submission of Renewal Application – Head Start, Early Childhood Learning Center, FY 2009-2010**

Adopted Resolution No. 08-09-36 for signature authorization and submission of renewal application Head Start services, Early Childhood Learning Center, 2009-2010.

**RESOLUTION NO. 08-09-37: Statutory School Fees ("Reportable Fees") Report for Fiscal Year 2007-08**

Adopted Resolution No. 08-09-37 certifying compliance with Government code Section 66000 et seq. regarding School Facility Fees for 2007-08.

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

### **CFD Consent Calendar**

On the motion of Member McInerney, seconded by Member Wallin and carried 4-0, the Board, acting as the governing body of Community Facilities District Nos. 86-1, 07-1, 06-1, and 01-1, took the following action on the CFD Consent Calendar:

**Certificate of Authorized Officers for Irvine Unified School District – Community Facilities Districts No. 86-1, 07-1, 06-1 and No. 01-1**

Approved the updated CFD Certificate of Authorized Officers.

### **Items of Business**

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

**RESOLUTION NO. 08-09-35: Behavior Intervention Plans (Hughes Bill) Mandated Cost Claim Settlement and Waiver**

Special Ed Director Mary Bevernick reviewed the historical background of this mandated cost claim settlement which, if passed, will end a fourteen-year dispute with the State of California regarding funding for state behavioral intervention plan requirements that are in excess of federal law.

On the motion of Member Wallin, seconded by Member McInerney and carried 4-0 (Student

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Members voting "Yes"), the Board adopted Resolution No. 08-09-35 for the Behavioral Intervention Plans (Hughes Bill) Mandated Cost Claim Settlement and waived rights to file any claim regarding the Hughes Bill statute and regulations in the future.

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

**Public Hearing: Review and Adoption of the Special Education Annual Service Delivery and Annual Budget Plan**

On the motion of Member Wallin, seconded by Member McInerney and carried 4-0, the Board, after holding a public hearing and receiving no comments, adopted the Irvine SELPA Annual Service Delivery Plan and Annual Budget Plan.

**Second Reading and Adoption: Proposed Board Policy 5145.8: Bullying/Cyber Bullying**

Student Services Coordinator Eamon Kane reviewed the process followed for finalization of the proposed policy and responded to questions from the Board.

On the motion of Member Wallin, seconded by Member Kuwabara and carried 4-0, the Board approved for second reading and adoption proposed Board Policy 5145.8: Bullying/ Cyber Bullying.

**Approval of Purchase and Sale Agreements in Furtherance of Acceptance of Most Desired Proposal Subject to Waiver Requirements (Alderwood and Vista Verde Properties)**

Legal counsel Andreas Chialtis, AALR&R, reviewed the key components of the purchase and sale agreements negotiated with William Lyon Homes, Inc. for the Alderwood and Vista Verde sites and outlined the process leading up to the sale.

Speaking to the topic:

(Mr. Chialtis noted receipt of a letter from legal counsel representing the Parkside Community Association, requesting the addition of a series of conditions to the sale.)  
Frank McGill  
Darren Foster

On the motion of Member McInerney, seconded by Member Kuwabara and carried 4-0, the Board:

- 1) Approved both of the documents "Agreement for Purchase and Sale and Joint Escrow Instructions" presented at this board meeting.
- 2) Approved a delegation of authority to Lisa Howell, Chief Financial Officer, or her designee, to make those final non-substantive revisions deemed necessary by staff and



legal counsel to execute each of the “Agreement for Purchase and Sale and Joint Escrow Instructions” and to open escrow for each Property between 30 and 60 days from Board approval.

***Oral Communication***

None

***Adjournment***

On the motion of Member McInerney, seconded by Member Kuwabara and carried 4-0, there being no further Board of Education business, the meeting was adjourned at 8:50 p.m.

Gavin Huntley-Fenner  
Board President

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