

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

***Board of Education***  
***Minutes of Regular Meeting***  
***June 21, 2011***

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***Call to Order***

The Regular Meeting of the Board of Education was called to order by President Kuwabara at 6:05 p.m., in the District Administration Center, 5050 Barranca Parkway, Irvine, California.

***Roll Call***

**Members Present:**

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

**Members Absent:**

Carolyn McInerney (excused)

***Oral Communication***

None

***Closed Session***

The Board adjourned to Closed Session at 6:07 p.m.

**Student Discipline Issues**

The Board discussed one (1) student discipline issue.

**Conference with Labor Negotiators**

The Board discussed labor negotiations involving the Irvine Teachers Association, California School Employees Association, and the Irvine Supervisory Association.

***Reconvene Regular Meeting***

President Kuwabara 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 Member Wallin and was followed by a moment of silence.

### **Roll Call**

#### **Members Present:**

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

#### **Members Absent:**

Carolyn McInerney (excused)

#### **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:**

Irene Brady, Melissa Figge, Ian Hanigan, Joe Hoffman, Catherine Holmes, Tim Jamison,  
Lloyd Linton, Susana Lopez, Brianne Meyer, Jason Miles, Mark Sontag, Keith Tuominen

#### **Video Production:**

James Adling  
Brian Des Palmes

### **Closed Session Report**

President Kuwabara reported on the discussion in Closed Session.

#### **Student Discipline Issue**

On the motion of Member Wallin, seconded by Member Huntley-Fenner and carried 4-0, the Board approved the staff recommendation to expel Student No. 1910431209 through April 26, 2012, with suspension of the expulsion at the beginning of the 2011-12 school year, allowing the student to return with probationary status.

### **Adoption of the Agenda**

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

REVISE      Item 3a - *Student Discipline Issues (2 cases)* (1 case removed by staff)  
REMOVE     Item 7a - *CIF Champions - University HS Boys Tennis Team - Division I*  
REVISE      Item 12l - *Receive Bids/Award Contract for 2011-12 Nutrition Services*

Items Removed from Consent Calendars for Discussion and Separate Action:  
Item 12i - *Contract Services Action Report*

### ***Special Report***

#### **Learning Management System**

Following introductory comments by Superintendent Gross and Assistant Superintendent Parham, Chief Technology Officer Brianne Meyer presented the second of two comprehensive reports outlining the implementation plan, to commence in stages beginning the fall of 2011; and project costs, estimated at approximately \$3.8 million over seven years. Pearson School Systems officials were introduced including Paul Fletcher, President and CEO; Silver McDonald, Sr. Vice President; Doug Dzina and Leslie Wollman.

### ***Oral Communication***

None

### ***Superintendent's Report***

Superintendent Gross commended the Board for their effectiveness as a governance team and thanked them for their expressions of appreciation to staff for their work.

### ***Announcements and Acknowledgments***

Member Kuwabara reported on school visits, conference attendance, and meeting participation.

### ***Consent Calendar***

On the motion of Member Wallin, seconded by Member Parham and carried 4-0, 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 \$125.00.
3. **Payment In Accordance with the Terms of the Settlement Agreement(s)**  
Authorized payment in an amount not to exceed \$9,750.00 in accordance with the terms of the Settlement Agreement(s).
4. **Coalition for Adequate Funding for Special Education**  
Authorized payment to the Coalition for Adequate Funding for Special Education in an amount not to exceed \$1,300.00 for the 2011-12 school year.
5. **Submission, State Preschool Program Self-Evaluation, Early Childhood Learning Center, 2010-11**  
Approved the submission of the State Preschool Self Evaluation, Early Childhood Learning Center, 2010-11.
6. **Submission of the 2011-12 Consolidated Application, Part I**  
Approved the electronic submission of the District's 2011-12 Consolidated Application, Part I to the California Department of Education.
7. **Purchase Order Detail Report**  
*(A written report is on file in the District Office.)*  
Approved the Purchase Order Detail Report dated June 8, 2011.
8. **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 00157015 through 00157568  
District 50, Community Facilities District No. 01-1 - Numbers 00001500 through 00001505  
District 44, Community Facilities District No. 86-1 - Numbers 00004499 through 00004507  
Revolving Cash - Numbers 34848 through 34934
9. **Receive Bids/Award Contract Refuse Collection and Disposal**  
Authorized the Assistant Superintendent CFO of Business Services to enter into a three-year contract with Ware Disposal, Inc. in the amount of \$304,234.00 for refuse collection and disposal.
10. **Agreement for the Confidential Treatment of CalWorks and Food Stamp Recipient Information**

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Approved the Agreement with the Orange County Superintendent of Schools for the Confidential Treatment of CalWorks and Food Stamp Recipient Information.

11. **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 2010-11/17, as submitted for Employment.

12. **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 2010-11/17, as submitted for Employment, Resignations, and Retirements.

13. **Gifts**

*(A written report was included with the agenda and is on file in the District Office.)*

Accepted gifts to the District, as listed.

14. **Field Trips and Excursions**

Approved the following field trips funded by donations:

- 1) University High School ASB students to Idyllwild, California, on August 3-5, 2011 for \$6,125.00;
- 2) Woodbridge High School cross country team to Mammoth, California, on August 15-22, 2011 for \$2,800.00;
- 3) Irvine High School ASB students to Irvine, California, on August 26-28, 2011 for \$4,800.00;
- 4) Woodbridge High School cross country team to Pearl City, Hawaii, on August 29 – September 4, 2011 for \$16,800.00.

### **Consent Calendar Resolutions**

On the motion of Member Wallin, seconded by Member Huntley-Fenner and carried 4-0, the Board took the following action on the Consent Calendar Resolution:

**RESOLUTION NO. 10-11-52: Signature Authorization and Submission, CA State Preschool Services Contract Amendment, Early Childhood Learning Center, 2010-11**

Adopted Resolution No. 10-11-52 for signature authorization and submission of CA State Preschool Services Contract Amendment, Early Childhood Learning Center, 2010-11.

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

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## **Facilities Consent Calendar**

On the motion of Member Wallin, seconded by Member Huntley-Fenner and carried 4-0, the Board took the following action on the Facilities Consent Calendar:

1. **Change Order – Woodbridge High School Modernization Project**  
Approved the listed change order in the amount of \$14,860.00, at the Woodbridge High School Modernization project. No change to the completion date.
2. **Notice of Completion – Emergency Contract for Repairs on Woodbridge High School Deck, Fitness and Wrestling Room**  
Accepted the contract in the final verified amount of \$413,840.96 to Four Point Builders, Inc., for the Emergency Contract for Repairs on the Woodbridge School Deck, Fitness and Wrestling Room project as complete and authorized staff to file a Notice of Completion with the County of Orange Recorder's Office.
3. **Notice of Completion – Woodbridge High School Modernization Project**  
Accepted the contract of the listed contractor for the Woodbridge High School Modernization project as complete and authorized staff to file a Notice of Completion with the County of Orange Recorder's Office.
4. **Receive Bids/Award Contract – Woodbridge High School Modernization – Concrete Pavers and Site Work**
  - 1) Granted the relief from the bid to Omar Taha Construction.
  - 2) Authorized the Assistant Superintendent/CFO of Business Services to award the contract for the Woodbridge High School Modernization Concrete Pavers and Site Work project, to Titanium Construction Group, Inc., in the amount of \$198,860.00.
5. **Receive Bids/Award Contract – Sierra Vista Middle School Modernization Campus Enrichment – Casework**  
Authorized the Assistant Superintendent/CFO of Business Services to award the contract for the Sierra Vista Middle School Modernization Campus Enrichment – Casework project, to Fast-Track Construction Corporation, in the amount of \$123,800.00.
6. **Receive Bids/Award Contract – Bid Package No. R-02 – Lease of Relocatable Buildings**  
Authorized the Assistant Superintendent/CFO of Business Services to award the contract for Bid Package No. R-02 Lease of Relocatable Buildings, as needs are identified for a time period of up to five (5) years, renewable on an annual basis with Mobile Modular Management Corporation.
7. **Authorization to Issue a Request for Qualifications (RFQ) for Architectural Services on Upcoming New Construction, Modernization and Expansion Projects**  
Authorized staff to issue a Request for Qualifications for Architectural Services on

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upcoming new construction, modernization and expansion projects.

8. **Approve the Renewal of the Contract with McMahan Business Interiors for the Purchase of School and Office Furniture for Various Sites per the Irvine Unified School District's School and Office Furniture Bid No. 08-09-01**

Approved the renewal of the contract with McMahan Business Interiors for a period of one (1) year pursuant to the District's School and Office Furniture Bid No. 08-09-01 and authorized the Assistant Superintendent/CFO of Business Services to execute any documents required for the renewal.

9. **Authorization to Utilize the Glendale Unified School District's Bid No. P-16 09/10 to Purchase School Furnishings, Office Furnishings, and Accessories for Various Sites**

Authorized the use of Glendale Unified School District Bid No. P-16 09/10 for the purchase of School Furnishings, Office Furnishings, and Accessories, from Culver-Newlin, Inc., Hertz Furniture, The HON Company, Jones-Campbell Company, SICO America, Inc. and Virco Manufacturing Corporation for a period of one year.

### ***Items Removed From Consent Calendars***

#### **Contract Services Action Report**

*(A written report was included with the agenda and is on file in the District Office.)*

Member Huntley-Fenner requested clarification regarding services related to the ACLU lawsuit to be provided by Atkinson, Andelson, Loya, Ruud & Romo in an amount not to exceed \$10,000.

On the motion of Member Wallin, seconded by Member Huntley-Fenner and carried 4-0, the Board approved and/or ratified the Contract Services Action Report 2010-11/17, as submitted.

#### **Receive Bids/Award Contract for 2011-12 Nutrition Services**

This item was removed due to a revision to the report. Member Parham requested follow-up information from staff regarding the selection process.

On the motion of Member Wallin, seconded by Member Huntley-Fenner and carried 4-0, the Board authorized the Assistant Superintendent/CFO of Business Services to award the contracts for 2011-12 Nutrition Services as recommended in the "revised report" to the Board of Education in the June 21, 2011 Board meeting.

### ***Items of Business***

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

#### **Learning Management System Software and Services**

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On the motion of Member Parham, seconded by Member Wallin and carried 4-0, the Board authorized the Assistant Superintendent/CFO of Business Services to enter into a contract with Schoolnet, Inc., to provide the scope of services as outlined above for the implementation of the Learning Management System, not to exceed \$1,900,000.00.

**PUBLIC HEARING: Resolution No. 10-11-51 Confirming a Diagram and the Levy of Assessments for the Irvine Unified School District Recreation Improvement and Maintenance District for Fiscal Year 2011-12**

On the motion of Member Wallin, seconded by Member Parham and carried 4-0, the Board, after holding a public hearing and receiving no comments, adopted Resolution No. 10-11-51, confirming a diagram and the levy of assessments for fiscal year 2011-12, in connection with the Irvine Unified School District Recreation Improvement and Maintenance District pursuant to the provisions of the Landscaping and Lighting Act of 1972, Part 2 of Division 15 of the California Streets and Highways Code, and as provided by Article XIID of the California Constitution.

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

**FIRST READING: Proposed Board Policy 5117.1 Open Enrollment Act - Romero Bill**

Assistant Superintendent Parham reviewed the proposed board policy, required by the California Department of Education, which provides guidelines for processing requests for transfer under the Open Enrollment Act (Romero Bill), which allows students from low achieving schools to submit applications for enrollment in a higher performing school.

Member Wallin made a motion, seconded by Member Parham, to adopt for first reading proposed Board Policy 5117.1: Open Enrollment Act - Romero Bill.

Board members discussed possible negative impacts including direct cost as a result of the district's Basic Aid status and fewer openings for intra-district transfer requests. Superintendent Gross advised that amendments to the legislation, which some believe to be flawed, were pending.

On a vote of 2-2 (Members Huntley-Fenner and Parham voting "No"), the motion failed.

**SECOND READING AND ADOPTION, AS REVISED: Fund Balance, Board Policy 3100.4**

On the motion of Member Huntley-Fenner, seconded by Member Parham and carried 4-0, the Board approved for second reading and adoption Board policy 3100.4 – Fund Balance, as revised.

**RESOLUTION NO. 10-11-53: Establish Fund Balance Policies as Required by GASB 54**



On the motion of Member Wallin, seconded by Member Huntley-Fenner and carried 4-0, the Board adopted Resolution No. 10-11-53 for the establishment of Fund Balance BP 3100.4 as required by GASB 54.

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

**PUBLIC HEARING: Presentation and Adoption of the IUSD 2011-12 Budget**

Assistant Superintendent Howell reviewed the 2011-12 Budget including revenue and expenditure assumptions, and the impacts of historical revenue limit deficit factors and chronic underfunding of special education. She compared funding levels for revenue limit and basic aid districts, indicating almost no benefit after the "fair share" reduction. Projecting \$212.2 million in expenditures (restricted and unrestricted) against \$199.7 million in revenue, she advised the difference would be offset by one-time carryover funds. She projected a \$6.5 million shortfall in 2012-13, growing to \$16.7 million in 2013-14. She advised that though the Governor is calling for flat funding for K-12 schools, it is based on the passage of tax extensions by California voters.

The Board discussed AB 18 (Brownley) which would address the "fair share" hit to Basic Aid districts with growing enrollment, and the anticipated fiscal impacts of the ACLU lawsuit regarding student fees. Board members requested a Special Education update, including costs and program review, and directed staff to begin planning a budget reduction process and timeline.

On the motion of Member Huntley-Fenner, seconded by Member Parham and carried 4-0, the Board, after holding a public hearing and receiving no comments, adopted the 2011-12 Budget, as presented, and direct staff to forward the appropriate documentation to the Orange County Department of Education.

**RESOLUTION NO. 10-11-54: Eliminating Positions and Ordering Layoffs in the Classified Service Due to Lack of Work And/or Lack of Funds**

On the motion of Member Wallin, seconded by Member Parham and carried 4-0, the Board adopted Resolution No. 10-11-54 Eliminating Positions and Ordering Layoffs in the Classified Service due to Lack of Work and/or Lack of Funds, thereby authorizing the Superintendent or designee to identify the individuals within these classifications for layoff and to proceed with the reduction in force process.

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

**Irvine Public Schools Foundation (IPSF) Funding Priorities - 2011-12**

On the motion of Member Huntley-Fenner, seconded by Member Wallin and carried 4-0, the Board approved the submission of a formal request to IPSF for the 2011-12 school year priorities, as described.

***Oral Communication***

None

***Adjournment***

On the motion of Member Wallin, seconded by Member Huntley-Fenner and carried 4-0, there being no further Board of Education business, the meeting was adjourned at 9:24 p.m.

Sue Kuwabara  
Board President

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