

Irvine Unified School District
Irvine, California

Board of Education
Minutes of Regular Meeting
June 23, 2009

Call to Order

The Regular Meeting of the Board of Education was called to order by President Huntley-Fenner at 5:03 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 5:05 p.m.

Complaint Against an Employee

The Board conducted a hearing regarding a complaint against an employee and provided direction to staff.

Charge or Complaint Regarding Information Protected by Federal law (FERPA)

The Board conducted a hearing regarding student education records and provided direction to staff.

Student Discipline Issues

The Board discussed two student discipline issues.

Conference with Legal Counsel - Existing Litigation

The Board discussed existing litigation.

Conference with Labor Negotiators

The Board discussed labor negotiations.

Public Employee Performance Evaluation – Superintendent

The Board continued this item to the July 14, 2009 meeting.

Reconvene Regular Meeting

President Huntley-Fenner reconvened the meeting at 7:10 p.m.

Pledge of Allegiance

The Pledge of Allegiance to the Flag of the United States of America was led by President Huntley-Fenner 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

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, Kay Bradley, Rhonda DeVaux, Ian Hanigan, Joe Hoffman,
Catherine Holmes, Paul Mills, Lauren Sipelis, Rena Thompson, Brad VanPatten

Closed Session Report

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

Student Discipline Issues

On the motion of Member McInerney, seconded by Member Kuwabara and carried 5-0, the Board approved the staff recommendation to expel Student No. 777010341 through January 28, 2010.

On the motion of Member Kuwabara, seconded by Member Parham and carried 5-0, the Board approved the staff recommendation to expel Student No. 191073913 through January 28, 2010.

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.

May 19, 2009 Regular Meeting
May 26, 2009 Special Meeting

Adoption of the Agenda

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

REVISE Item 12e - *Contract Services Action Report*

Items Removed from Consent Calendars for Discussion and Separate Action:

Item 12e - *Contract Services Action Report*

Item 12h - *Receive Bids/Award Contract - District-wide Asphalt Services - Unit Cost Pricing*

Special Presentations/Recognitions

South Coast Chinese Cultural Association & Irvine Chinese School Donation

Debbie Rugani, IPSF Vice President of Community Initiatives and Programs, remarked on several IPSF initiatives and introduced Delia Chin, Tim Cheng and Shu Fen Chen, representing the South Coast Chinese Cultural Association and the Irvine Chinese School, which raised a combined \$10,000 for IUSD.

City Match Update

Lita Robinow, outgoing IPSF Board Chair, announced the completion of its match of a grant from the City of Irvine, and presented a facsimile check in the amount of \$1.8 million. Incoming Board Chair Jan Kerchner introduced Neda Zaengle, the newly appointed Chief Executive

Officer for IPSF.

Oral Communication

Speaking to the topic of a sixth grade teacher assignment at Brywood Elementary:

Diane Aviles

James Almy

Ade Solaku

Superintendent's Report

Superintendent Gross reported successful graduation ceremonies at all six high schools, provided an update on IUSD's "green initiatives," announced summer school enrollment figures, and reported on a very informative debriefing with district staff and the police department in follow-up to the recent lockdown incident at Plaza Vista. Gross also expressed appreciation to outgoing IPSF Chair Lita Robinow, outgoing PTA Council President Kim Axene, and outgoing ITA President Barb Petro for their outstanding service.

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 Kuwabara and carried 5-0), 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. Payment in Accordance with Terms of the Settlement Agreement**
Authorized payment in an amount not to exceed \$119,499.00 in accordance with the terms of the Settlement Agreement(s).
- 3. Purchase Order Detail Report**
(A copy is attached to and made a part of these minutes.)
Approved the Purchase Order Detail Report dated June 11, 2009.

4. **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 00131968 through 00132778
District 50, Community Facilities District No. 01-1 - Numbers 00001403 through 00001408
District 44, Community Facilities District No. 86-1 - Numbers 00003938 through 00003956
District 41, Irvine Child Care Project - Numbers 00002336 through 00002346
Revolving Cash - Numbers 31617 through 31689
5. **Receive Bids/Award Contract – Intrusion Alarm Monitoring and Maintenance**
Authorized entering into a contract for intrusion alarm monitoring and maintenance with RM Systems for the fiscal year 2009-10 for \$20,016.00.
6. **Receive Bids/Award Contract – District-Wide Carpet and Resilient Flooring Installation Services-Unit Cost Pricing**
Authorized entering into a contract not to exceed \$250,000.00 for district-wide carpet and resilient flooring installation services for fiscal year 2009-10 with Progressive Floor Covering.
7. **Authorization to Award a Contract to Atlas Tracks, Inc., for the Purchase of Rubberized Track Surfacing Material Under the CMAS Contract No. 4-08-78-0044A**
Approved the award of a contract to Atlas Tracks, Inc., pursuant to CMAS Contract No. 4-08-78-0044A for the contract term 12/1/2008 through 10/30/2013 in order to purchase rubberized track surfacing and authorize staff to execute any documents necessary to effectuate said purchase in the best interest of the District.
8. **Authorization to Award a Contract to Miracle Recreation Equipment Company for the Purchase of Playground Equipment Under the CMAS Contract No. 4-99-78-0006A**
Approved the award of a contract to Miracle Recreation Equipment Company pursuant to CMAS Contract No. 4-99-78-0006A for the contract term 2/21/2008 through 1/31/2013 in order to purchase playground equipment and authorized staff to execute any documents necessary to effectuate said purchase in the best interest of the District.
9. **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 2008-9/17 as submitted for Employment, Resignations, Retirements, and Separation.
10. **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 2008-09/17 Board as submitted for Employment, Leaves of Absence, and Resignations.

11. Student Teacher Agreements

Approved the Student Teacher Placement Agreements with the named institutions and the Irvine Unified School District.

12. Gifts

(A copy is attached to and made a part of these minutes.)

Accepted gifts to the District, as listed.

13. Conference Attendance

(A copy is attached to and made a part of these minutes.)

Approved/ratified out-of-state conference attendance for staff, as follows –

- 1) Steve Sewell to Louisville, Kentucky from June 4-12, 2009 for no cost to district;
- 2) Rhonda DeVaux to Las Vegas, Nevada from June 26 - July 2, 2009 for no cost to district;
- 3) Charmane Williams to Las Vegas, Nevada from June 30 - July 2, 2009 for no cost to district;
- 4) Allison Robbins to St. George, Utah from June 30 - July 2, 2009 for a cost to district of \$955.00.

14. Field Trips and Excursions

Approved the following field trips funded by donations —

- 1) Turtle Rock 1st grade students to Irvine, California, on June 16, 2009 for \$1,190.00;
- 2) Irvine High School boys basketball team to La Jolla, California, on July 10-12, 2009 for \$6,700.00;
- 3) Irvine High School football team to Arroyo Grande, California, on July 16-18, 2009 for \$2,200.00;
- 4) Irvine High School girls basketball team to La Jolla, California, on July 16-19, 2009 for \$1,050.00;
- 5) Irvine High School cheer squad to Aliso Viejo, California, on July 16-19, 2009 for \$14,040.00;
- 6) Woodbridge High School girls basketball team to La Jolla, California, on July 16-19, 2009 for \$1,200.00;
- 7) Woodbridge High School Latin students to Davis, California, on July 26-August 1, 2009 for \$12,150.00;
- 8) Irvine High School yearbook students to San Diego, California, on July 28-31, 2009 for \$2,800.00;
- 9) University High School ASB students to San Diego, California, on August 3-5, 2009 for \$6,000.00.

Consent Calendar Resolutions

On the motion of Member Wallin, seconded by Member Parham and carried 5-0, the Board took the following action on the Consent Calendar Resolutions:

RESOLUTION NO. 08-09-70: Signature Authorization and Submission of the Secondary District Plan and Application for Work Experience Education

Adopted Resolution No. 08-09-70 for signature authorization and approved the submission of the Secondary District Plan and Application for Work Experience Education Program for Creekside, Irvine, Northwood, University, and Woodbridge High Schools.

RESOLUTION NO. 08-09-71: Signature Authorization and Submission of California Department of Education, Nutrition Services Division, Child and Adult Care Food Program Renewal FY 2009-2010 – Early Childhood Learning Center

Adopted Resolution No. 08-09-71 for signature authorization and submission of the California Department of Education, Nutrition Services Division, Child and Adult Care Food Program Renewal, FY 2009-2010-Early Childhood Learning Center.

RESOLUTION NO. 08-09-72: Signature Authorization and Submission, Head Start Services Contract – Head Start, Early Childhood Learning Center, FY 2009-2010

Adopted Resolution No. 08-09-72 for signature authorization and submission of the Head Start Services Contract-Head Start, Early Childhood Learning Center, FY 2009-2010.

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

CFD Consent Calendar

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

- 1. Change Order No. 1 – Santiago Hills Elementary School Modernization Project – Phase 1**
Approved Change Order No. 1 in the amount of \$27,150.00 to Plyco Corporation, at the Santiago Hills Elementary School Modernization Project – Phase 1. The revised contract amount to be \$738,150.00. No change to the completion date.
- 2. Change Order No. 3 – Bid Category No. 02-4 – Landscape & Irrigation Stonegate Elementary School**
Approved Change Order No. 3 in the amount of \$31,558.00 to America West Landscape, Inc., Bid Category No. 02-4 Landscape & Irrigation, at the Stonegate Elementary School project. The revised contract amount to be \$402,222.99. No change to the completion date.

3. **Reject all Bids/Bid Category No. 10-2 – Bleachers and Wood Flooring Woodbridge High School Modernization**
Rejected all bids for Bid Category #10-2 Bleachers and Wood Flooring for the Woodbridge High School Modernization project, and authorized the Assistant Superintendent of Business Services to rebid the category.

4. **Notice of Completion Paving Contract – Lakeside Middle School Modernization Interim Housing Site Improvement**
Accepted the United Paving Company – Paving Contract project at Lakeside Middle School Modernization Interim Housing Site Improvement as complete and authorized staff to file a Notice of Completion with the County of Orange Recorder's Office.

Items Removed From Consent Calendars

Contract Services Action Report

(A copy is attached to and made a part of these minutes.)

Member Wallin requested clarification regarding the Atkinson, Andelson, Loya, Ruud & Romo contracts and the possibility of negotiating reduced fees, and asked if the OCDE Bi-Tech Support contract could be charged to restricted funds.

On the motion of Member McInerney, seconded by Member Wallin and carried 5-0, the Board approved and/or ratified the Contract Services Action Report 2008-09/17, as submitted.

Receive Bids/Award Contract – District-Wide Asphalt Services – Unit Cost Pricing

M&O Director Joe Hoffman responded to Member Parham's inquiry regarding the possibility of working with a financial institution to hedge against rising asphalt costs.

On the motion of Member Parham, seconded by Member McInerney and carried 5-0, the Board authorized entering into a contract not to exceed \$500,000.00 for district-wide asphalt services for fiscal year 2009-10 with Universal Asphalt Co., Inc.

Items of Business

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

Budget Reductions/Adjustments 2009-10

Assistant Superintendent Lisa Howell reviewed the previously agreed upon Phase II and Phase III recommended budget adjustments, totaling \$9,238,553.

Speaking to the topic:
Wendy Bokota

Board members discussed various budget reduction recommendations and requested clarification regarding the decision-making process. The Board expressed a desire for complete transparency and the involvement of all stakeholders moving forward. Member Wallin expressed her personal opposition to some of the Phase III items and suggested consideration of decreasing some reserve levels. It was further suggested that all Tier III items should be considered within the entire block. The Board discussed their desire to prioritize projects based on need and long-term impacts. Gross advised that budget reinstatement options could only be considered pending the outcome of the final State budget, and Howell reiterated that the \$18.5M in reductions was ongoing and would be needed in order to maintain a positive balance in 2010-11.

On the motion of Member Parham, seconded by Member McInerney and carried 4-1 (Member Wallin voting "No"), the Board approved the recommended 2009-10 Budget Reductions/ Adjustments. These reductions are necessary to balance the 2009-10 budget.

PUBLIC HEARING: Presentation and Adoption of the IUSD 2009-10 Budget

Assistant Superintendent Howell provided an overview of the 2009-10 Budget including revenue and expenditure assumptions and the impacts of historical revenue limit deficit factors and salary settlements. Also discussed was the Basic Aid Fair Share proposal and impacts of the federal ARRA funds. The Board expressed the need to closely monitor tax revenues, especially in light of the District's Basic Aid status.

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 2009-10 Budget as presented, and directed staff to forward the appropriate documentation to the Orange County Department of Education.

PUBLIC HEARING: Initial Bargaining Proposal Regarding Working Conditions, Compensation, Health and Welfare, and 2009-2010 Employee Compensation Reductions - 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 proposal of the Irvine Unified School District to initiate the bargaining process with the California School Employees Association.

PUBLIC HEARING: Initial Bargaining Proposal Regarding Working Conditions, Compensation, Health and Welfare, and 2009-2010 Employee Compensation Reductions - Irvine Supervisory Association and the Irvine Unified School District

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

PUBLIC HEARING: Initial Bargaining Proposal Regarding Working Conditions, Compensation, Health and Welfare, and 2009-2010 Employee Compensation Reductions - Irvine Teachers 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 proposal of the Irvine Unified School District to initiate the bargaining process with the Irvine Teachers Association.

RESOLUTION NO. 08-09-74: Reserving the Right to Make 2009-2010 Employee Compensation Reductions

Speaking to the topic:
Barb Petro, ITA President

On the motion of Member Parham, seconded by Member McInerney and carried 5-0, the Board adopted Resolution No. 08-09-74 to reserve the right to make 2009-10 employee compensation reductions.

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

RESOLUTION NO. 08-09-73: 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 5-0, the Board adopted Resolution No. 08-09-73 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 Kuwabara, McInerney, Parham, Wallin, Huntley-Fenner
NOES: None
ABSENT: None

Ratification of Agreement Between the Irvine Unified School District and the Irvine Teachers Association for 2008-09

On the motion of Member Wallin, seconded by Member McInerney and carried 5-0, the Board ratified the Tentative Agreement between the Irvine Unified School District and the Irvine Teachers Association for 2008-09.

Ratification of Agreement Between the Irvine Unified School District and the California School Employees Association (Chapter 517) for 2008-09

On the motion of Member Kuwabara, seconded by Member McInerney and carried 5-0, the Board ratified the Tentative Agreement between the Irvine Unified School District and the California School Employees Association (Chapter 517) for 2008-09.

Oral Communication

None

Adjournment

On the motion of Member Parham, seconded by Member McInerney and carried 5-0, there being no further Board of Education business, the meeting was adjourned at 7:30 p.m.

Gavin Huntley-Fenner, Ph.D.
Board President

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