

**Newport-Mesa Unified School District
Regular Meeting of the Board of Education**

April 23, 2019 6:00 PM

District Education Center - Roderick H. MacMillian Board Room

2985 - A Bear Street

Costa Mesa, California 92626

Attendance Taken at 3:00 PM:

Present:

Ashley Anderson
Michelle Barto
Dana Black
Martha Fluor
Charlene Metoyer
Vicki Snell
Karen Yelsey

1. Roll Call - 3:00 p.m.

1.a. Board of Education/Superintendent

Minutes:

Roll call was taken and the following were present:

Charlene Metoyer, President
Martha Fluor, Vice President
Dana Black, Clerk, arrived at 3:03 pm
Karen Yelsey, Member
Michelle Barto, Member
Ashley Anderson, Member
Vicki Snell, Member
Dr. Frederick Navarro, Superintendent

2. Community Input on Closed Session Agenda Items

2.a. Comment Cards are Requested to be Completed Prior to Addressing the Board

Minutes:

There were no public comments on closed session agenda items.

3. Closed Session - 3:00 p.m.

Minutes:

The Board of Education met in closed session from 3:03 p.m.-5:17 p.m. to discuss items 3.a-3.f.

President Metoyer read the follow before moving into Closed Session:

"International School for Science and Culture Proposition 39 Request"

3.a. Public Employee Discipline/Dismissal/Release/Employment (Pursuant to Government Code Section 54957 and Education Code Section 44954[b]) #201905HR

Motion Passed: In closed session the Board took action to approve the dismissal of classified employee

#201905HR, effective April 23, 2019. Passed with a motion by Dana Black and a second by Karen Yelsey.

Yes Ashley Anderson
Yes Michelle Barto
Yes Dana Black
Yes Martha Fluor
Yes Charlene Metoyer
Yes Vicki Snell
Yes Karen Yelsey

3.b. Student Discipline (Pursuant to Education Code Sections 35146, 48918[c]) - 1 case

3.c. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION - Significant exposure to litigation pursuant to Government Code Section 54956.9: two cases

3.d. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION - Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Government Code Section 54956.9: 1 case

3.e. CONFERENCE WITH LEGAL COUNSEL ANTICIPATED LITIGATION Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Section 54956.9: 1 case

3.f. Public Employee Discipline/Dismissal/Release/Employment (Pursuant to Government Code Section 54957 and Education Code Section 44954[b])

4. Dinner Recess - 5:30 p.m.

5. Regular Meeting - 6:00 p.m.

6. Call to Order

6.a. Call to Order - Presiding Chairperson

Minutes:

President Metoyer called the regular meeting to order at 6:00 p.m.

7. Opening Ceremonies

7.a. Moment of Reflection/Pledge of Allegiance to the Flag

Minutes:

The meeting was opened with a moment of reflection followed by the Pledge of Allegiance to the Flag.

8. Adoption of Agenda

8.a. Adoption of Agenda

Motion Passed: It is recommended that the Board of Education adopt the agenda as presented. Passed with a motion by Dana Black and a second by Ashley Anderson.

Yes Ashley Anderson
Yes Michelle Barto
Yes Dana Black
Yes Martha Fluor
Yes Charlene Metoyer
Yes Vicki Snell
Yes Karen Yelsey

9. Adoption of Minutes

9.a. Adoption of Minutes of 03-26-19 and 04-16-19

Motion Passed: It is recommended that the Board of Education adopt the minutes of 03-26-19 and 04-16-19 as submitted. Passed with a motion by Karen Yelsey and a second by Dana Black.

Yes Ashley Anderson
Yes Michelle Barto
Yes Dana Black
Yes Martha Fluor
Yes Charlene Metoyer
Yes Vicki Snell
Yes Karen Yelsey

10. Recognition

10.a. Recognize Newport-Mesa Unified School District's 2019 Classified Employee of the Year Recipients

Minutes:

The Board of Education recognized the following classified employees who were selected as NMUSD's Classified School Employees of the Year and their names were submitted to the Orange County Department of Education for the Orange County competition:

My H. Lam, Nutrition Services Assistant II Child Nutrition

Tabitha D. Strange, Instructional Assistant-Special Education Para-Educator and Instructional Assistance

Scott E. Parks, Bus Driver Transportation

10.b. Recognition of Winter Athletic Sports Champions

Minutes:

The Board of Education recognized the Costa Mesa High School Cheer Team for their CIF Southern Section Division 4 Co-ed Cheer Championship.

6:19-6:30 p.m. - The Board took a brief recess to congratulate the recognition recipients.

11. Student Board Member Reports

Minutes:

President Metoyer read the following action taken in closed session into the record:

"In closed session the Board took action to approve the dismissal of classified employee #201905HR, effective April 23, 2019. Passed with a motion by Dana Black and a second by Karen Yelsey."

Student Board members provided reports on items of interest at their respective sites:

Rafael Arias Torres, NHHS (provided by Isaiah Murphy)

Isaiah Murphy, CMHS

Alex Kermani, CdMHS (report provided by Noland)

Lucy Dmitruk, ECHS

12. Harbor Council PTA Report

Minutes:

Julie Lenk provided the Harbor Council PTA report.

13. Report

13.a. Report on Intervention - Secondary

Minutes:

The Board of Education received the second of two reports on intervention. Tonight's report from Principal Jake Haley and teacher Evonne Marvin was regarding secondary intervention.

14. Community Input on Action Items

14.a. Comment Cards are Requested to be Completed Prior to Addressing the Board

Minutes:

All comments are recorded in full on the meeting video record posted on the district's YouTube page following the closed captioning process. A DVD is available to check out from the Superintendent's office for three business days or for purchase for \$1.00. Public comment was received from the following individuals regarding action items on tonight's agenda:

1. Lynn Riddle - Retired Federal Judge, shared her analysis and investigative research of the difference between the NMUSD and OCDE resolutions taking opposite positions on charter school act reform. The NMUSD resolution supports reform of the CA Charter Schools Act to keep the approval and oversight of charter schools with the district in which the charter will be established. The OCDE resolution takes the opposite position of no reform needed allowing the petitioner the right of appeal to a 'neutral party' (OCDE Board) should a district deny a charter. During her research she discovered the following facts - typical County Boards of Education spend \$25,000 on their election campaigns; the OCDE Board has overturned all 12 of the charter school denials brought to them in the past four years; the vote on the NMUSD charter denial was 3/2 to overturn the NMUSD denial of the ISSAC charter; of the three board members who voted to overturn the NMUSD denial, two were elected in 2018 and they spent approximately \$800,000 on their campaigns with \$425,000 received from the CA Charter Schools PACS and the third member was elected in 2016 and received 63% of his campaign funding from the CA Charter Schools Association.
2. Laurie Smith - shared support of Resolution 22-04-19 supporting reform to the CA Charter Schools Act
3. Britt Dowdy - shared support of reform to the CA Charter School Act

15. Superintendent Report

Minutes:

Dr. Navarro thanked the public for their comments in support of the CA Charter Schools Act reform and noted that teachers are a key piece to the Read 180 successes.

16. Consent Calendar

Motion Passed: It is recommendation that the Board of Education approve the consent calendars for business, education, human resources, and student support services as presented. Passed with a motion by Martha Fluor and a second by Dana Black.

Yes Ashley Anderson
Yes Michelle Barto
Yes Dana Black
Yes Martha Fluor
Yes Charlene Metoyer
Yes Vicki Snell
Yes Karen Yelsey

16.a. Business Services

- 16.a.1. Ratify Renewal of Bid# 102-18 Food Service Equipment with Chef's Toys and Arrow Restaurant Equipment and Supplies
- 16.a.2. Ratify Service Agreement with Executive Environmental for Environmental Services at Lincoln Elementary School
- 16.a.3. Ratify Renewal of Bid #100-16 Paving Asphalt District Wide with Universal Asphalt Co. Inc.
- 16.a.4. Approve Agreement with Cal-Storm Compliance for Inspection Services for the Estancia High School Aquatic Center Increment 1 Project
- 16.a.5. Approve Agreement with Martin Brothers Construction Services for Division of the State Architect (DSA) Inspection Services for the Estancia High School Aquatic Center Increment 1 Project
- 16.a.6. Approve Agreement with MTGL, Inc. for Materials Testing and Inspection Services for the Estancia High School Aquatic Center Increment 1 Project
- 16.a.7. Approve Agreement with Cal-Storm Compliance for Inspection Services for the Corona del Mar High School Sports Fields project
- 16.a.8. Approve Agreement with Studio+ Architecture for Corona del Mar High School Dance Floor Replacement
- 16.a.9. Approve Agreement with Brink's Box Central Service for Smart Dropbox and Armored Service at Five Sites
- 16.a.10. Approve Service Agreement with PRZ Sports Turf Consulting for Design, Soil Testing and Irrigation Assessment of TeWinkle Intermediate and California Elementary Fields
- 16.a.11. Approve Agreement with Martin Brothers Construction Services for Division of the State Architect (DSA) Inspection Services for the Heating, Ventilation and Air Conditioning (HVAC) Projects at Seven School Sites
- 16.a.12. Approve Agreement with Optimum Energy Design (OED) for Engineering and Design Services for the 2019/20 Proposition 39 HVAC Replacement at Victoria Elementary School
- 16.a.13. Approve Renewal of Bid #104-18 Office & School Supplies and Equipment with Office Depot
- 16.a.14. Approve Information Technology Maintenance and Support Agreements
- 16.a.15. Approve Purchasing and Transaction Report for 04-23-19
- 16.a.16. Approve Accounting Report 04-23-19
- 16.a.17. Approve Gift Register 04-23-2019

16.b. Education Services

- 16.b.1. Approve Agreement 4495 for the Use of the UCI Bren Events Center for Corona del Mar High School's 2019 Graduation Ceremony
- 16.b.2. Approve Agreement for Services between Consortium on Reaching Excellence in Education, Inc. and Newport Mesa Unified School District for SIPPS Support Services
- 16.b.3. Approve Agreement Number 47898 with the Orange County Superintendent of Schools for the Quality Rating and Improvement System (QRIS) Block Grant
- 16.b.4. Approve Purchase of District Membership with Mystery Science for the 2019/20 School Year
- 16.b.5. Approve Independent Contractors' Register 4-23-19
- 16.b.6. Approve Elementary Student Travel Register 04-23-19
- 16.b.7. Approve Secondary School Related Travel Register 4-23-19

16.c. Human Resources

- 16.c.1. Approve Certificated Employees' Appointment/Reassignment Register 04-23-19
- 16.c.2. Approve Certificated Employees' Leave of Absence Register 04-23-19
- 16.c.3. Approve Certificated Employees' Resignation/Termination Register 04-23-19
- 16.c.4. Approve Classified Employees' Appointment/Reassignment Register 04-23-19
- 16.c.5. Approve Classified Employees' Leave of Absence Register 04-23-19

16.c.6. Approve Classified Employees' Resignation/Termination Register 04-23-19

16.d. Student Support Services

16.d.1. Approve Student Discipline - Expulsion of Student

16.d.2. Approve Addendum to the Master Contract for The Learning Center for the Deaf Inc. for 2018-2019

16.d.3. Approve Addendum to the Master Contract for Spectrum Center - Rossier Park Senior High School for 2018-2019

16.d.4. Approve Master Independent Contractor Agreement with Dr. Mitch Perlman for the 2018-2019 School Year

16.d.5. Approve Nonpublic School/Agency Contracts for the 2018-2019 School Year

16.d.6. Approve Parent Reimbursement Contracts for the 2018-2019 School Year

17. Resolution Consent Calendar

17.a. Adopt Resolution No. 19-04-19 - Observing May 8, 2019 as "National School Nurse Day" and the Week of May 6 - 10, 2019 as "National School Nurse Week"

Motion Passed: Adoption of Resolution No. 19-04-19 is recommended, observing the day of Wednesday, May 8, 2019 as "National School Nurse Day" and the week of May 6 - 10, 2019 as "National School Nurse Week" with a roll call vote. Passed with a motion by Martha Fluor and a second by Michelle Barto.

Yes Ashley Anderson

Yes Michelle Barto

Yes Dana Black

Yes Martha Fluor

Yes Charlene Metoyer

Yes Vicki Snell

Yes Karen Yelsey

17.b. Adopt Resolution No. 20-04-19 Recognizing California Day of the Teacher May 8, 2019 and National Teacher Appreciation Week May 6-10, 2019

Motion Passed: It is recommended that the Board of Education adopt Resolution No. 20-04-19 observing the day of May 8, 2019 as Day of the Teacher and the week of May 6-10, 2019 as National Teacher Appreciation Week with a roll call vote. Passed with a motion by Vicki Snell and a second by Ashley Anderson.

Yes Ashley Anderson

Yes Michelle Barto

Yes Dana Black

Yes Martha Fluor

Yes Charlene Metoyer

Yes Vicki Snell

Yes Karen Yelsey

17.c. Adopt Resolution No. 21-04-19 Acknowledging Proposition 51 Bond Authority Insufficiency on April 23, 2019

Motion Passed: It is recommended that the Board of Education adopt Resolution 21-04-19 Acknowledging Proposition 51 Bond Authority Insufficiency on April 23, 2019, and authorize the Assistant Superintendent, Chief Operating Officer to execute as approved with a roll call vote. Passed with a motion by Dana Black and a second by Michelle Barto.

Yes Ashley Anderson

Yes Michelle Barto
Yes Dana Black
Yes Martha Fluor
Yes Charlene Metoyer
Yes Vicki Snell
Yes Karen Yelsey

17.d. Adopt Resolution No 22-04-19 - In Support of Reform to the California Charter Schools Act

Motion Passed: It is recommended that the Board of Education adopt Resolution 22-04-19 in Support of Reform to the California Charter Schools Act with a roll call vote. Passed with a motion by Michelle Barto and a second by Karen Yelsey.

Yes Ashley Anderson
Yes Michelle Barto
Yes Dana Black
Yes Martha Fluor
Yes Charlene Metoyer
Yes Vicki Snell
Yes Karen Yelsey

18. Discussion/Action Calendar

18.a. Approve Facility Naming AdHoc Committee Recommendation Regarding Request to Name Davis Magnet School Field "Frainie Field"

Motion Passed: It is recommended that the Board of Education approve the recommendation of the AdHoc Facility Naming Committee to name the Davis Magnet School field "Frainie Field". Public comment in support of the naming of the field was received from the following individuals: Jan Frainie, Mike D'Alessandro, Brett Woods, Brett Eckles. Passed with a motion by Charlene Metoyer and a second by Martha Fluor.

Yes Ashley Anderson
Yes Michelle Barto
Yes Dana Black
Yes Martha Fluor
Yes Charlene Metoyer
Yes Vicki Snell
Yes Karen Yelsey

18.b. Approval Proposed Board Meeting Dates for July 2019-June 2020

Motion Passed: It is recommended that the Board of Education approve the proposed Board meeting dates for July 2019-June 2020 with the pulling of the July 2019 meeting date to be brought back at the next board meeting for approval after staff reviews the viability to shift to Monday, July 15. Passed with a motion by Vicki Snell and a second by Dana Black.

Yes Ashley Anderson
Yes Michelle Barto
Yes Dana Black
Abstain Martha Fluor
Yes Charlene Metoyer
Yes Vicki Snell
Yes Karen Yelsey

18.c. First Reading and Adoption of Modifications to Board Policy

Motion Passed: It is recommended that the Board of Education review and adopt the attached policy revisions that have been reviewed and edited by the three member Board policy editing team. These policies have revisions to bring their language and legal references current to meet legal deadlines.

The Board moved to adopt the changes, waived the second reading, and voted unanimously adopt each of the three policy revisions:

BP 5113.2 - Work Permits

BP 5125.1 - Release of Directory Information

BP 6178 - Career Technical Education

Passed with a motion by Dana Black and a second by Vicki Snell.

Yes Ashley Anderson

Yes Michelle Barto

Yes Dana Black

Yes Martha Fluor

Yes Charlene Metoyer

Yes Vicki Snell

Yes Karen Yelsey

18.d. Ratify Agreement with California Waters Development, Inc. for General Contracting Services for the Estancia High School Aquatic Center Increment 1 Project

Motion Passed: It is recommended that the Board of Education ratify the agreement with California Waters Development, Inc. for general contracting services for the Estancia High School Aquatic Center Increment 1 project. Passed with a motion by Vicki Snell and a second by Martha Fluor.

Yes Ashley Anderson

Yes Michelle Barto

Yes Dana Black

Yes Martha Fluor

Yes Charlene Metoyer

Yes Vicki Snell

Yes Karen Yelsey

18.e. Approve Agreement with Callahan Consulting for Math Support

Motion Passed: It is recommended that the Board of Education approve the agreement with Callahan Consulting for April. Passed with a motion by Martha Fluor and a second by Dana Black.

Yes Ashley Anderson

Yes Michelle Barto

Yes Dana Black

Yes Martha Fluor

Yes Charlene Metoyer

Yes Vicki Snell

Yes Karen Yelsey

19. Community Input on Non-Agenda Items

19.a. Comment Cards are Requested to be Completed Prior to Addressing the Board

Minutes:

All comments are recorded in full on the meeting video record posted on the district's YouTube page following the closed captioning process. A DVD is available to check out from the Superintendent's office for three business days or for purchase for \$1.00. The following individuals shared comments with the Board regarding items not on the agenda:

1. Joseph D'Aguino & Chris Ramirez invited everyone to see the NHHS theater performance "In the Heights".

20. Board Member Reports

Minutes:

The Board members shared reports of interest to the community and Board members.

21. Board of Education Committee Reports

Minutes:

The following Board members shared reports on mandatory and optional committees that have met since the last Board meeting.

22. Informal Reports

22.a. Superintendent

Minutes:

Dr. Navarro shared information of interest to the Board and the public.

22.b. Deputy/Assistant Superintendents and Executive Directors

Minutes:

Deputy/Assistant Superintendents and Executive Directors provided information of interest to the Board from their respective divisions.

23. Adjournment

Minutes:

The meeting was adjourned at 10:04 p.m.

Chairperson

Superintendent