

**Newport-Mesa Unified School District**  
**Regular Meeting of the Board of Education Via Teleconference**  
September 15, 2020 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. Regular Board Meeting via Teleconference**

**2. Roll Call - 3:00 p.m.**

**2.a. Board of Education/Superintendent**

Minutes:

Roll was taken and the following were present:

Martha Fluor, President  
Karen Yelsey, Vice President  
Dana Black, Clerk  
Michelle Barto, Member  
Ashley Anderson, Member  
Vicki Snell, Member  
Charlene Metoyer, Member  
Russell Lee-Sung, Superintendent

**3. Community Input on Closed Session Agenda Items**

**3.a. Comment Cards are Requested to be Electronically Submitted no later than 9:00 a.m. on Tuesday, September 15, 2020**

Minutes:

Public comments on closed session items were read into the record from 3:02 pm - 3:14 pm.

The following comments were received and read into the record regarding item 4.a. Threat to Public Services or Facilities:

- 1) Charlotte Zaremba - HVAC system at Estancia
- 2) Kathy - reopening preparations.
- 3) Cynthia Blackwell - COVID testing questions and concerns.
- 4) Lisa Yee - hybrid model concerns.
- 5) Melanie Bassett - health and safety plans for reopening.

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

Minutes:

The Board met in closed session beginning at 3:21 pm to discuss items related to 4.a, 4.b, 4.c, and 4.d. Trustee Fluor read the following roll call vote into the record: 4.d. Ayes: 7, Noes: 0, Absent: 0.

**4.a. Threat to Public Services or Facilities (Gov. Code Section 54957(a) Consultation with agency counsel) - This item is to discuss the district's response to the COVID-19 pandemic**

**4.b. Conference with Labor Negotiator NMUSD Representative Leona Olson Employee Organization CSEA & NMFT, Pursuant to Government Code Section 54957.6**

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

**4.d. Public Employee Discipline/Dismissal/Release/Employment (Pursuant to Government Code Section 54957 and Education Code Section 44954[b]) #202006HR**

**Motion Passed:** Passed with a motion by Charlene Metoyer 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

Minutes:

In closed session, the Board of Education took action to approve the salary and reassignment agreement for No. 202006HR. The roll call vote was as follows: 7 Ayes, 0 Noes, 0 Absent.

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

### **6. Call to Order**

#### **6.a. Call to Order - Presiding Chairperson**

Minutes:

Trustee Fluor read the following into the record: "In closed session, the Board of Education took action to approve the salary and reassignment agreement for No. 202006HR. The roll call vote was as follows: 7 Ayes, 0 Noes, 0 Absent.

## **7. Adoption of Agenda**

### **7.a. Adoption of Agenda**

**Motion Passed:** It is recommended that the Board of Education adopt the agenda as amended by the pulling of items 14.a.1, 14.a.2, 14.a.5, and 14.b.9 to Discussion/Action Calendar. 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

## **8. Adoption of Minutes**

### **8.a. Adoption of Minutes 08-18-20, 09-03-20 and 09-10-20**

**Motion Passed:** It is recommended that the Board of Education adopt the minutes of 08-18-20, 09-03-20 and 09-10-20 as presented. 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

## 9. Student Board Member Reports

Minutes:

The following Student Board Members provided reports:

Maddiline McNamer, BB/MVHS

Troy Tsubota, CdMHS

Luka Gogorishvili, CMHS

Paulina Enriquez Vazquez, ECHS

Britney Ebergenyi, EHS

Baylee Bogard, NHHS

## 10. Harbor Council PTA Report

Minutes:

Lisa Boler provided the HCPTA report.

## 11. Community Input on Agendized Items

### 11.a. Comment Cards are Requested to be Electronically Submitted Prior to 9:00 a.m. on Tuesday, September 15, 2020

Minutes:

The following comments were received and read into the record on Consent Calendar item 14.c.1:

1) Michelle Elvander - supports approving the MOU with NMFT.

2) Christy Lea - supports the MOU with NMFT.

## 12. Superintendent Report

Minutes:

Mr. Lee-Sung repeated clarifications regarding reopening plans that were made before closed session regarding preparedness, PPE supplies, testing and safety plans.

## 13. Discussion/Action Calendar

### 13.a. Approve the 2019-20 Unaudited Actuals Report

**Motion Passed:** It is recommended that the Board of Education approve the 2019-20 Unaudited Actuals Report. Passed with a motion by Charlene Metoyer 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

Minutes:

Mr. Trader provided information on the Unaudited Actuals Report to the Board.

The roll call vote was as follows:

Student Board Member Baylee Bogard- Yes

Trustee Fluor- Yes

Trustee Yelsey- Yes

Trustee Black- Yes

Trustee Barto- Yes

Trustee Anderson- Yes

Trustee Snell- Yes

#### 14. Consent Calendar

**Motion to Amend Passed:** To amend the motion from: "It is recommended that the Board of Education approve the consent calendars of Business, Education, Human Resources, and Student Support Services as submitted." to: "It is recommended that the Board of Education approve the consent calendars of Business, Education, Human Resources, and Student Support Services as amended by the pulling of items 14.a.1, 14.a.2, 14.a.5 and 14.b.9 to the Discussion/Action Calendar." 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

Minutes:

Trustee Fluor pulled items 14.a.1 and 14.a.2 for discussion, and Trustee Anderson asked for clarification on items 14.a.5 and 14.b.9. Mr. Lee-Sung requested the correction of a typo in item 14.b.1 (correction of 'third' to 'fourth' quarter).

#### 14.a. Business Services

##### 14.a.1. Ratify Agreement with LEAF Engineers, Inc. for Mechanical Engineering Services

**Motion Passed:** It is recommended that the Board of Education ratify the agreement with LEAF Engineers, Inc. for mechanical engineering services as related to indoor air quality and specific recommendations for reopening schools. Passed with a motion by Charlene Metoyer 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

##### 14.a.2. Ratify Agreement with Health Science Associates, Inc. for Indoor Air Quality Compliance Review

**Motion Passed:** It is recommended that the Board of Education ratify the agreement with Health Science Associates, Inc. (HSA) for indoor air quality compliance review. Passed with a motion by Charlene Metoyer 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

##### 14.a.3. Ratify Rejection of Claim LB-20HAL100018

##### 14.a.4. Approve Change Order No. 1 with Byrom-Davey, Inc. for Tennis Court Fence Replacement at Costa Mesa High School

##### 14.a.5. Approve Change Order No. 2 with PCN3, Inc. for Aquatic Center Increment 2 at Estancia High School

**Motion Passed:** It is recommended that the Board of Education approve Change Order No. 2 with PCN3, Inc. for the Aquatic Center at Estancia High School. 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

- 14.a.6. Approve Renewal of Contracts for Bid #112-19 As Needed Transportation (Charter Bus Services)**
- 14.a.7. Approve Agreement with Wenger Corporation for Theater Rigging Inspections at Various Sites**
- 14.a.8. Approve Agreement with Health Science Associates, Inc. for Industrial Hygiene Fume Hood Ventilation Evaluation Services**
- 14.a.9. Approve Agreement for Special Services with School Services of California, Inc. for 2020-2021**
- 14.a.10. Approve Agreement with PlanetBids, Inc.**
- 14.a.11. Approve Purchasing and Transaction Report for 9-15-20**
- 14.a.12. Approve Accounting Report 09-15-20**
- 14.a.13. Approve Software Register (Renewals) 09-15-2020**

#### **14.b. Education Services**

- 14.b.1. Accept Williams Legislation Fourth Quarter Report for School Year 2019-2020**
- 14.b.2. Approve the Office of College and Career Education to Apply for Phase 6 of the Career Technical Education Incentive Grant (CTEIG)**
- 14.b.3. Approve Additions to the High & Middle School Course of Study**
- 14.b.4. Approve the Purchase and Use of ALEKS Software by McGraw-Hill for Newport-Mesa Unified School District High Schools for the 2020-2021 School Year**
- 14.b.5. Approve the Continuing Consulting Agreement Between the Freedom Committee of Orange County and Newport-Mesa Unified School District for the 2020 - 2021 School Year**
- 14.b.6. Approve the Renewal Purchase and Use of District Department Gizmo Licenses and Professional Development for Science Teachers from ExploreLearning for 2020/21 School Year**
- 14.b.7. Approve Renewal Agreement Between Edgenuity and Newport-Mesa Unified School District for the 2020 - 2021 School Year**
- 14.b.8. Approve Renewal Agreement with Accelerated Learning for STEMscopes for the 2020/21 School Year**
- 14.b.9. Approve the Lexia Learning Systems Renewal for the 2020-21 School Year**

**Motion Passed:** It is recommended that the Board of Education approve the Lexia Learning Systems Renewal for the 2020-21 school year. Passed with a motion by Charlene Metoyer 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

- 14.b.10. Approve the Subscription Renewal of Custom Resources - Competition University Software**
- 14.b.11. Approve the Renewal Subscription for Reading Plus for Newport-Mesa Unified School District Schools for the 2020 - 2021 School Year**
- 14.b.12. Approve the Renewal Subscription for Atlas Language Services, Inc. for Application-Based and Call-In Interpretation for Newport-Mesa Unified School District Schools for the 2020 - 2021 School Year**
- 14.b.13. Approve the Renewal Subscription of ePrep, Inc. for Newport-Mesa Unified School District High Schools for the 2020 - 2021 School Year**
- 14.b.14. Approve Service Agreements' Register 9-15-2020**

#### **14.c. Human Resources**

- 14.c.1. Approve Memorandum of Understanding Between the Newport-Mesa Unified School District and the Newport-Mesa Federation of Teachers Regarding Level 3, Distance Learning**
- 14.c.2. Approve Proposed Funding for Newly Created Classified Confidential Salary Range 26 for New Classification of Executive Assistant, Superintendent**
- 14.c.3. Authorization to Approve Renewal Agreement with Aon Consulting, Inc. 2020-21**
- 14.c.4. Authorization to Approve Renewal Agreement with Aon Consulting, Inc. for Retiree Drug Subsidy 2020-21**
- 14.c.5. Approve Certificated Employees' Resignation/Termination Register 09-15-20**

- 14.c.6. Approve Certificated Employees' Leave of Absence Register 09-15-20
- 14.c.7. Approve Certificated Employees' Appointment/Reassignment Register 09-15-20
- 14.c.8. Approve Classified Employees' Resignation/Termination Register 09-15-20
- 14.c.9. Approve Classified Employees' Leave of Absence Register 09-15-20
- Employees' Appointment/Reassignment Register 09-15-20

**14.d. Student Support Services**

- 14.d.1. Approve Nonpublic School/Agency Contracts for the 2020-2021 School Year
- 14.d.2. Approve Addendum for Nonpublic School/Agency Contract for the 2019-2020 School Year
- 14.d.3. Approve Memorandum of Understanding for Schools on Wheels
- 14.d.4. Approve Memorandum of Understanding for Olive Crest
- 14.d.5. Approve Settlement Agreement #30021030
- 14.d.6. Approve Settlement Agreement #31020390
- 14.d.7. Approve Settlement Agreement #60027260
- 14.d.8. Approve Settlement Agreement #90028060
- 14.d.9. Approve Settlement Agreement #11020150

**15. Resolution Consent Calendar**

**15.a. Adopt Resolution 02-08-20 Conflict of Interest Code 2020 Biennial Review**

**Motion Passed:** It is recommended that the Board of Education adopt Resolution 02-08-20, approving the 2020 Newport Mesa Unified School District's Conflict of Interest Code Biennial Review and authorization to submit it to the Orange County Board of Supervisors, as the code reviewing body for Orange County government agencies. Passed with a motion by Michelle Barto 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

**15.b. Adopt Resolution 06-09-20 In Support of Hoag Memorial Hospital Presbyterian**

**Motion Passed:** It is recommended that the Board of Education adopt Resolution 06-09-20 in support of Hoag Memorial Hospital Presbyterian. Passed with a motion by Michelle Barto 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

**15.c. Adopt Resolution No. 07-09-20 Regarding Layoff of Classified Employees**

**Motion Passed:** It is recommended that the Board of Education adopt Resolution No. 07-09-20 Regarding Layoff of Classified Employees. Passed with a motion by Michelle Barto 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

#### **15.d. Adopt Resolution 08-09-20 Gann Limit for 2019-20 and Estimated Gann Limit for 2020-21**

**Motion Passed:** It is recommended that the Board of Education adopt Resolution 08-09-20 "Gann" Limit specifying the district's 2019-20 appropriations limit and adopting the estimated appropriations limit for 2020-21. Passed with a motion by Michelle Barto 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

#### **15.e. Adopt Resolution 09-09-20 in Support of September 7-13 as "National Suicide Prevention Week" and the month of September 2020 as "National Suicide Prevention Month"**

**Motion Passed:** It is recommended that the Board of Education adopt Resolution No. 09-09-20 supporting September 7-13 as "National Suicide Prevention Week" and the month of September 2020 as "National Suicide Prevention Month." Passed with a motion by Michelle Barto 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. PUBLIC HEARING/ACTION CALENDAR**

#### **16.a. Public Hearing Disclosing the Provisions of the 2020-2021 Tentative Memorandum of Understanding/Collective Bargaining Agreement with the Newport-Mesa Federation of Teachers**

Minutes:

The Board of Education conducted a public hearing to Disclose the Provisions of the 2020-21 Tentative MOU/Collective Bargaining Agreement with NMFT. The hearing was opened at 7:31 p.m. Mr. Trader provided information. There was one public comment by Kelly read into the record. The hearing was closed at 7:34 p.m.

#### **16.b. Approve Tentative Agreement Between the Newport-Mesa Unified School District and the Newport-Mesa Federation of Teachers 2020-2021**

**Motion Passed:** It is recommended that the Board of Education approve the Tentative Agreement between the Newport-Mesa Unified School District (NMUSD) and the Newport-Mesa Federation of Teachers (NMFT) for contract reopeners for 2020-2021. Passed with a motion by Karen Yelsey 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. Public Hearing**

#### **17.a. Public Hearing for the Learning Continuity and Attendance Plan (LCP)**

Minutes:

The Board of Education conducted a public hearing on the Learning Continuity and Attendance Plan (LCP). The hearing was opened at 8:29 p.m. Mr. Drake and Ms. Galey provided information. There was no public comment. The hearing was closed

at 9:18 p.m.

## **18. Community Input on Non-Agendized Items**

### **18.a. Comment Cards are Requested to be Electronically Submitted Prior to 9:00 a.m. on Tuesday, September 15, 2020**

Minutes:

The following public comments were received and read into the record regarding non-agendized items.

- 1) Martha O'Meara: public comment format.
- 2) Leah Ersoylu: status update of Estancia Theater project.

## **19. Informal Reports**

### **19.a. Superintendent**

Minutes:

There was no report.

### **19.b. Assistant Superintendents and Executive Directors**

Minutes:

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

## **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 Board shared committee reports and the legislative update.

## **22. Adjournment**

Minutes:

President Fluor adjourned the meeting at 9:51 p.m. in memory of CDM teacher Marciea Ball and CMHS football coach Jimmy Nolan's daughter.

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Chairperson

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Superintendent