

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

August 17, 2021 3:30 PM

District Education Center - Roderick H. MacMillian Board Room  
2985 - A Bear Street  
Costa Mesa, California 92626

**Attendance Taken at 3:30 PM:**

Present:

Ashley Anderson  
Michelle Barto  
Carol Crane  
Leah Ersoylu  
Charlene Metoyer  
Krista Weigand  
Karen Yelsey

**1. Regular Board Meeting - 3:30 p.m.**

**2. Roll Call**

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

Minutes:

Roll call was taken and the following were present:

Karen Yelsey, President  
Michelle Barto, Vice President  
Charlene Metoyer, Clerk  
Ashley Anderson, Member - arrived at 3:37 pm  
Carol Crane, Member  
Leah Ersoylu, Member  
Krista Weigand, Member  
Dr. Bangser, Interim Superintendent

**3. Adoption of Agenda**

**3.a. Adoption of Agenda**

**Motion Passed:** It is recommended that the Board of Education adopt the agenda as amended with item 18.a. moving up to follow item 14.a. Passed with a motion by Charlene Metoyer and a second by Carol Crane.

Yes Ashley Anderson  
Yes Michelle Barto  
Yes Carol Crane  
Yes Leah Ersoylu  
Yes Charlene Metoyer  
Yes Krista Weigand  
Yes Karen Yelsey

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

#### **4.a. Comment Cards are Requested to be Completed Prior to Addressing the Board**

Minutes:

There were no comments on closed session items.

#### **5. Closed Session - 3:30 p.m.**

Minutes:

The Board of Education met in closed session to discuss information related to items 5.a.-5.d. from 3:37 pm to 5:20 pm.

**5.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**

**5.b. Conference with Labor Negotiator NMUSD Representative Olson/Jocham Employee Organization CSEA, NMFT, NMAA and Supervisors Pursuant to Government Code Section 54957.6**

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

**5.d. Student Discipline (Pursuant to Education Code Sections 35146, 48918[c]) 1 case**

#### **6. Dinner Recess - 5:30 p.m.**

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

#### **8. Call to Order**

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

Minutes:

President Yelsey called the meeting to order at 6:00 pm.

#### **9. Opening Ceremonies**

##### **9.a. Moment of Reflection/Pledge of Allegiance to the Flag**

Minutes:

Trustee Anderson led the Moment of Reflection and Pledge of Allegiance to the Flag.

#### **10. Adoption of Minutes**

##### **10.a. Minutes of 7-13-21 and 8-12-21**

**Motion Passed:** It is recommended that the Board of Education adopt the minutes of 7-13-21 and 8-12-21 as presented. Passed with a motion by Michelle Barto and a second by Krista Weigand.

Yes Ashley Anderson  
Yes Michelle Barto  
Yes Carol Crane  
Yes Leah Ersoylu  
Yes Charlene Metoyer  
Yes Krista Weigand  
Yes Karen Yelsey

## **11. Introduction of Staff - Todd Hatfield, Director of Nutrition Services**

Minutes:

John Drake introduced Todd Hatfield as the new Director of Nutrition Services.

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

### **12.a. Comment Cards are Requested to be Completed Prior to Addressing the Board**

Minutes:

The following comments were received on non-agendized items. All comments are recorded in full on the meeting's video record.

- 1) Marylynn Gaddis- hate crimes statement and support for teaching of critical race theory.
- 2) Juana Trejo- community concern for busing and student safety.
- 3) Lucia Mejia- busing is a necessity for families.
- 4) Elena Perez- advocating for bus transportation for district families.
- 5) Alicia Esquivel- does not want to see busing removed.
- 6) Sarah Auwarter-shared concern for road safety issues around Rea, Pomona and Victoria schools.
- 7) Henny Abraham- encouragement of healthy habits for kids.
- 8) Chris Jones- does not support masking.
- 9) Libby Frolichman- supports mask mandate.
- 10) Lindsay Murad- does not support CDPH mandates.
- 11) Jessica Gibson- wants choice on medical decisions affecting students.
- 12) Barbie George- shared daughter's experience related to masking.
- 13) Dorie Krepton- importance of mask wearing.
- 14) Ali Burchette- supports mask choice.
- 15) Lyndi Kennedy- does not support masking.
- 16) Karin Bates- does not support masking.

## **13. Superintendent's Comments**

Minutes:

Dr. Bangser shared first impressions of his first weeks as interim superintendent with the Board, staff and community.

## **14. Reports**

### **14.a. Report on Anti-Defamation League Professional Development Partnership with Secondary Schools**

Minutes:

Kerrie Torres provided information on history and context of the professional development partnership with the Anti-Defamation League and provided specifics on the proposed agreement for the 21-22 school year. Secondary principals (Mr. Hill, Mr. Haley, Mr. Halt and Mr. Boulton) and ADL representatives, Mr. Peter Levi and Dr. Shannon McGowan, provided additional information.

## **15. Community Input on Agendized Items**

### **15.a. Comment Cards are Requested to be Completed Prior to Addressing the Board**

Minutes:

The following comments were received on items 14.a. and 18.a. All comments are recorded in full on the meeting's video record.

Libby Frolichman- supports yes vote and implementation of program.  
 Anne Gordinier- feels voluntary program is valuable in developing student leaders.  
 Barbie George- not in favor of approval.  
 Andrea Golan- program is educational and empowering.  
 Dianne B. Wells- not supportive of renewal of ADL program without full transparency of curriculum and cost.  
 Adriana Fourcher- focus on teaching kids the core subjects.

## 16. Consent Calendar

**Motion Passed:** It is recommended that the Board of Education approve the consent calendars of business, education, human resources, student support services and superintendent as presented. Passed with a motion by Charlene Metoyer and a second by Michelle Barto.

**No** Ashley Anderson  
**Yes** Michelle Barto  
**Yes** Carol Crane  
**Yes** Leah Ersoylu  
**Yes** Charlene Metoyer  
**Yes** Krista Weigand  
**Yes** Karen Yelsey

### Minutes:

Prior to calling for the vote, President Yelsey made the following statement for the record: "Please note consent calendar items 16.e.1 and 16.e.2 under Superintendent pertain to amending Dr. Suhr and Dr. Bauermeister's respective employment agreements, including change in salary placement effective August 1, 2022."

## 16.a. Business Services

- 16.a.1. Approve Master Agreement with CEM Lab Corp. for Laboratory Services for Various Projects
- 16.a.2. Approve Master Agreement with HL Construction Management for Cost Management Services for Various Projects
- 16.a.3. Approve Master Agreement with Martin Brothers Consulting Services, Inc. for Inspection Services for Various Projects
- 16.a.4. Approve Master Service Agreement with Studio+ Architecture for Projects at Various Sites
- 16.a.5. Approve Agreement with Atkinson, Andelson, Loya, Ruud and Romo for Provision of Legal Services Pertaining to Public Education Support Services
- 16.a.6. Approve Agreement with AED Institute of America, Inc. for Quarterly Inspections of AEDs Districtwide
- 16.a.7. Approve Agreement with Studio+ Architecture and Interior Design for Elevator Repairs at Costa Mesa High School
- 16.a.8. Approve Agreement with Gym Floor Inspectors, LLC for the Inspection and Assessment of the Gym Floor at Estancia High School
- 16.a.9. Approve Agreement with the Regents of the University of California for the Monitoring of Rodent Activity at Various Sites
- 16.a.10. Approve Agreement with Blue Peak Engineering for Topographical Surveying Services at Harper Site
- 16.a.11. Approve Agreement with Rodriguez Engineering, Inc. to Provide Various Structural Engineering Services Throughout the District
- 16.a.12. Approve Agreement with PlaceWorks, Inc. for California Environmental Quality Act (CEQA) Services for the Transportation Maintenance Lift Replacement
- 16.a.13. Approve Budget for Transportation Maintenance Lift Replacement
- 16.a.14. Ratify Service Agreement with Keenan & Associates for Ladder Training for Maintenance and Operations Staff
- 16.a.15. Approve Budget for Site Field Improvement Design Scope Phase at Corona del Mar High School
- 16.a.16. Approve Budget for Site Improvements at Harper Assessment Center
- 16.a.17. Approve Budget for Right-of-Way Area Improvements at Ensign Intermediate and Corona del Mar High School
- 16.a.18. Approve Change Order No. 1 to Bid No. 126-21 with Giannelli Electric, Inc. for Scoreboard Installation at Various Sites
- 16.a.19. Reject All Bids Received for Bid # 114-21 Siding Replacement at Andersen Elementary

**16.a.20. Ratify Award of Bid #101-22 with Newbuild Construction and Restoration, Inc. for Siding and Parking Lot Improvements at Andersen Elementary School**

**16.a.21. Approve Renewal of Bid #126-20 NFPA Fire Alarm Testing with CAL Building Systems, Inc.**

**16.a.22. Approve Accounting Report 08-17-21**

**16.a.23. Approve Purchasing and Transaction Report 08-17-21**

**16.a.24. Approve Software Register (Renewals) 08-17-2021**

**16.b. Education Services**

**16.b.1. Approve the Use of Additional Specified Apps & Web-based Services for the 2021-2022 School Year**

**16.b.2. Approve the Revised Fiscal Impact of the April 27, 2021 Board Approved Agreement Between Paper Education Company and Newport-Mesa Unified School District**

**16.b.3. Approve the Pilot Agreement with Imagine Learning for Newcomer TK-12 Students District-wide and Spanish Dual Immersion K-6 Students at Whittier Elementary School**

**16.b.4. Approve the Pilot for LAS Links for Newcomer TK-12 Students District-wide, Kindergarten English Learners at 2 Elementary Sites (to be determined), and Spanish Dual Immersion K-6 Students at Whittier Elementary School**

**16.b.5. Approve High Trails, Pali Institute and Three Oaks Science School Outdoor Science School Contracts for the 2021-2022 School Year**

**16.b.6. Approve Agreement with Orange County Department of Education for Acadience Reading K-6 Essential Workshop for 2021-2022 School Year**

**16.b.7. Approve the Beach Cities Nutrition Services Cooperative RFP No. 2021-4, Paper Products and Cleaning Supplies**

**16.b.8. Approve Authorization to use Piggyback Bid #1617-19 (One year Extension) from Capistrano Unified School District for the Purchase of Milk and Dairy Products through Hollandia Dairy, Inc.**

**16.b.9. Approve Option to Extend the Contract for Bid No. 20/21-01NS, South Orange County Purchasing Group-Processed Commodity, Commercial, Snack & Beverage Products**

**16.b.10. Approve the After-School Education and Safety (ASES) Program Grant Award Amendment for the 2021-2022 School Year**

**16.b.11. Approve Amendment to Renewal Agreement with AVID (Advancement Via Individual Determination) for the 2021-22 School Year**

**16.b.12. Approve Renewal Contract with Orange County Department of Education for Math Support for Grades K-5 for the 2021-22 School Year**

**16.b.13. Ratify the Renewal Agreement with Orange County Department of Education for Math Support in Grades 6 - 12 for the 2021-22 School Year**

**16.b.14. Ratify Payment of Invoices for Webassign from Cengage Learning for Newport Harbor High School for the 2020 - 2021 School Year**

**16.b.15. Approve the Renewal Agreement with Portfolium for Newport-Mesa Unified School District for the 2021-2022 School Year**

**16.b.16. Approve the Renewal Agreement with Certiport for Newport-Mesa Unified School District**

**16.b.17. Approve Renewal Agreement with Turnitin, LLC for Use of Turnitin for the 2021-22 School Year**

**16.b.18. Approve Renewal and Purchase of Houghton Mifflin Harcourt Read 180 Universal California Edition for Continued Use in Secondary Schools**

**16.b.19. Approve the Renewal, Purchase, and Use of SmartMusic Web for Newport-Mesa Unified School District Secondary Schools for the 2021 - 2022 School Year**

**16.b.20. Approve the Renewal and Purchase of Gale, a Cengage Company, Products for Newport-Mesa Unified School District for all school sites for the 2021 - 2022 School Year**

**16.b.21. Approve the Renewal, Purchase, and Use of Lucid Software, Inc. for Newport Harbor High School for the 2021 - 2022 School Year**

**16.b.22. Approve the Renewal, Purchase, and Use of TBP Productions, LLP, dba SNO Sites for Newport Harbor High School for the 2021 - 2022 School Year**

**16.b.23. Approve the Renewal, Purchase, and Use of 5-Star Students, LLC for Newport-Mesa Unified School District Schools for the 2021-2022 School Year**

**16.b.24. Approve the Renewal, Purchase, and Use of ALEKS Software by McGraw-Hill for Newport-Mesa Unified School District Schools for the 2021 - 2022 School Year**

**16.b.25. Approve New and Renewal CTE Free Software Requests**

- 16.b.26. Approve the Renewal of the EZReports SaaS (Software as a Service) Annual Subscription Purchase from Thomaskelly Software Associates for the Project Kidz Connect After-School Program for 2021-2022 School Year
- 16.b.27. Approve the Renewal of National Student Clearinghouse StudentTracker for the 2021-2022 School Year
- 16.b.28. Approve Renewal of Naglieri Nonverbal Ability Test (NNAT3) Online Licenses for 2021-22 School Year
- 16.b.29. Approve the Subscription Renewal of Custom Resources - Competition University Software
- 16.b.30. Approve the Subscription Renewal of Stukent Software
- 16.b.31. Approve the Subscription Renewal of Code HS Software
- 16.b.32. Approve the Subscription Renewal of iCEV Business Marketing Software
- 16.b.33. Approve the Subscription Renewal for Go Engineer Educational Network
- 16.b.34. Approve California Student Data Privacy Agreement Register 8-17-2021
- 16.b.35. Approve Service Agreements' Register 8-17-21

**16.c. Human Resources**

- 16.c.1. Approve Classified Employees' Leave of Absence Register 08-17-21
- 16.c.2. Approve Classified Employees' Resignation/Termination Register 08-17-21
- 16.c.3. Approve Classified Employees' Appointment/Reassignment Register 08-17-21
- 16.c.4. Approve Certificated Employees' Leave of Absence Register 08-17-21
- 16.c.5. Approve Certificated Employees' Resignation/Termination Register 08-17-21
- 16.c.6. Approve Certificated Employees' Appointment/Reassignment Register 08-17-21

**16.d. Student Support Services**

- 16.d.1. Approve Student Discipline
- 16.d.2. Approve Increase in Funding to the 2020-2021 MOU between the Orange County Superintendent of Schools and NMUSD
- 16.d.3. Approve the Memorandum of Understanding between the Newport-Mesa Unified School District and Waymakers
- 16.d.4. Approve the Memorandum of Understanding (MOU) with Latino Health Access
- 16.d.5. Approve the Memorandum of Understanding (MOU) with Seneca Family of Agencies
- 16.d.6. Approve Agreement 51767: Memorandum of Understanding Between NMUSD and Orange County Department of Education - Alcohol and Other Drugs Prevention Program for the 21-22 School Year
- 16.d.7. Approve Ratification of Nonpublic School/Agency Contract for the 2020-21 School Year
- 16.d.8. Approve Nonpublic School/Agency Contracts for the 2021-2022 School Year
- 16.d.9. Approve Service Agreement between Newport-Mesa Unified School District and Dr. Riba's Health Club for the 2021-2022 School Year
- 16.d.10. Approve Independent Contractor Service Agreements for the 2021-2022 School Year
- 16.d.11. Approve Amendment to Service Agreement between V.A. Anderson Consulting, Inc. and NMUSD
- 16.d.12. Approve Parent Reimbursement Contract for the 2021-2022 School Year
- 16.d.13. Approve License Renewal with Care Solace for Mental Health and Care Concierge Service Platform
- 16.d.14. Approve Special Education Software Register
- 16.d.15. Approve Settlement Agreement #01025110
- 16.d.16. Approve Settlement Agreement #11024021
- 16.d.17. Approve Settlement Agreement #21024020
- 16.d.18. Approve Settlement Agreement #40024140
- 16.d.19. Approve Settlement Agreement #2021030132

**16.e. Superintendent**

- 16.e.1. Approve the Second Amendment to Agreement for Employment of Executive Director, Elementary Education Between the Board of Education of the Newport-Mesa Unified School District and Dr. Kurt Suhr Dated August 17, 2021
- 16.e.2. Approve the Second Amendment to Agreement for Employment of Executive Director, Secondary Education Between the Board of Education of the Newport-Mesa Unified School District and Dr. Kirk Bauermeister Dated August 17, 2021
- 16.e.3. Approve the Agreement Between Newport-Mesa Unified School District and Hilton Orange County/Costa Mesa for Special Meeting Location

## 17. Public Hearing/Action Calendar

### 17.a. Public Hearing Disclosing the Provisions of the 2021-2022 Tentative Collective Bargaining Agreement with the Newport-Mesa Federation of Teachers

Minutes:

The hearing was opened at 7:50 pm. Comment was provided by Sarah Auwarter, NMFT President, who voiced support for the tentative agreement and thanked the teams involved in the process. The hearing closed at 7:52 pm.

### 17.b. Approve Tentative Agreement and MOUs Between the Newport-Mesa Unified School District and the Newport-Mesa Federation of Teachers 2021-2022

**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 a new three-year successor agreement effective July 1, 2021 through June 30, 2024. Passed with a motion by Charlene Metoyer and a second by Michelle Barto.

Yes Ashley Anderson  
Yes Michelle Barto  
Yes Carol Crane  
Yes Leah Ersoylu  
Yes Charlene Metoyer  
Yes Krista Weigand  
Yes Karen Yelsey

## 18. Discussion/Action Calendar

### 18.a. Approve Agreement with the Anti-Defamation League for Professional Development for Secondary Schools

**Motion Passed:** It is recommended that the Board of Education approve the agreement with the Anti-Defamation League (ADL) for Professional Development for Secondary Schools. Passed with a motion by Ashley Anderson and a second by Carol Crane.

Yes Ashley Anderson  
Yes Michelle Barto  
Yes Carol Crane  
Yes Leah Ersoylu  
Yes Charlene Metoyer  
Yes Krista Weigand  
Yes Karen Yelsey

Minutes:

This item was moved up to follow item 14.a. during the adoption of the agenda. Public comments were received as the item was discussed.

### 18.b. Approve Management, Confidential and Supervisor Compensation and Benefits for 2021-2022

**Motion Passed:** It is recommended that the Board of Education approve the proposed Management, Confidential and Supervisor compensation and benefits for 2021-2022. Passed with a motion by Carol Crane and a second by Ashley Anderson.

Yes Ashley Anderson  
Yes Michelle Barto  
Yes Carol Crane  
Yes Leah Ersoylu  
Yes Charlene Metoyer

Yes Krista Weigand

Yes Karen Yelsey

### **18.c. Approve Executive Staff Compensation and Benefits for 2021-2022**

**Motion Passed:** It is recommended that the Board of Education approve the proposed Executive Staff compensation and benefits for 2021-2022 school year. Passed with a motion by Michelle Barto and a second by Charlene Metoyer.

Yes Ashley Anderson

Yes Michelle Barto

Yes Carol Crane

Yes Leah Ersoylu

Yes Charlene Metoyer

Yes Krista Weigand

Yes Karen Yelsey

## **19. Resolution Consent Calendar**

### **19.a. Adopt Resolution 01-08-21 to Establish Temporary Interfund Transfers of Special or Restricted Fund Monies**

**Motion Passed:** It is recommended that the Board of Education approve Resolution 01-08-21 to Establish Temporary Interfund Transfers of Special or Restricted Fund Monies. Passed with a motion by Charlene Metoyer and a second by Krista Weigand.

Yes Ashley Anderson

Yes Michelle Barto

Yes Carol Crane

Yes Leah Ersoylu

Yes Charlene Metoyer

Yes Krista Weigand

Yes Karen Yelsey

### **19.b. Adopt Resolution 02-08-21 Authorizing Approval of Signatures on Electronically Printed Checks Produced by the Orange County Superintendent of Schools**

**Motion Passed:** It is recommended that the Board of Education adopt Resolution 02-08-21 authorizing approval of signatures on electronically printed checks produced by the Orange County Superintendent of Schools. Passed with a motion by Carol Crane and a second by Charlene Metoyer.

Yes Ashley Anderson

Yes Michelle Barto

Yes Carol Crane

Yes Leah Ersoylu

Yes Charlene Metoyer

Yes Krista Weigand

Yes Karen Yelsey

## **20. Informal Reports**

### **20.a. Superintendent**

Minutes:

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



## **20.b. Assistant Superintendents and Chief Financial Officer**

Minutes:

The Assistant Superintendents and Chief Financial Officer shared information from their respective divisions of interest to the Board and public.

## **21. Board Member Reports**

Minutes:

Trustees Barto, Metoyer, Anderson and Crane shared reports of interest to the community and Board members.

## **22. Board of Education Committee Reports**

Minutes:

Trustee Ersoylu gave an update on the last Costa Mesa United meeting.

## **23. Adjournment**

Minutes:

The meeting was adjourned at 8:52 pm.

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Chairperson

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Superintendent