

**ORANGE UNIFIED SCHOOL DISTRICT
BOARD OF EDUCATION • REGULAR MEETING
District Education Center • Board Room
1401 North Handy Street • Orange, California**

**Teleconference with Kathy Moffat
Marriott Beach Club, Lobby
2249 Poipu Road
Koloa-Kauai, HI 96756**

**Thursday • May 24, 2018
6:30 P.M. • Closed Session
7:00 P.M. • Regular Session**

MINUTES

1. CALL MEETING TO ORDER

Board President Deligianni called the meeting to order at 6:38 p.m.

2. ESTABLISH QUORUM

Board members present: Deligianni, Lebsack, Ledesma, Moffat, Ortega, Surridge, Yamasaki
Board members absent: Ledesma, Moffat, Surridge

3. PUBLIC COMMENT ON CLOSED SESSION AGENDA ITEMS

Speakers

4. ADJOURN TO CLOSED SESSION

The meeting adjourned to closed session at 6:38 p.m. to discuss the following items:

- A. PUBLIC EMPLOYEE EMPLOYMENT/DISCIPLINE/DISMISSAL/RELEASE
Government Code 54957
- B. PUBLIC EMPLOYEE APPOINTMENT
Government Code 54957
Title: Elementary School Principal
- C. CONFERENCE WITH LABOR NEGOTIATORS
Government Code Section 54957.6
Agency Negotiator: John Rajcic, Atkinson, Andelson, Loya, Rudd & Romo
Employee Organizations: Orange Unified Education Association and Classified School Employees Association

5. CALL TO ORDER – REGULAR SESSION

Dr. Deligianni called the meeting to order at 7:00 p.m.

Messrs. Ledesma and Surridge arrived during closed session.

Mrs. Moffat participated via teleconference in open session only. Per Robert's Rules of Order, all votes will be roll call.

6. PLEDGE OF ALLEGIANCE

Dr. Deligianni invited the audience to join together in reciting the Pledge of Allegiance.

7. REPORT OF CLOSED SESSION DECISIONS

Dr. Hansen announced that the Board appointed Sara Beggs, Ph.D. to the position of Elementary School Principal. The roll call vote was 5-0-2 (Absent: Ledesma, Moffat).

8. ADOPTION OF AGENDA

Motion No. 84

It was moved by Mr. Ortega, seconded by Mr. SurrIDGE, and carried by a roll call vote of 7-0 to adopt the May 24, 2018 agenda.

9. ANNOUNCEMENTS AND ACKNOWLEDGMENTS

Item 9.A. Superintendent's Report

Dr. Hansen thanked the Special Education Department and the Office of Student and Community Services who held the OUSD 3rd annual Special Olympics spring games today at Fred Kelly Stadium. Participating students came from Adult Transition, Canyon Hills, Portola, Yorba, Cerro Villa, Orange, Canyon, El Modena, and Villa Park. Despite the misty day, school spirit was evident with cheerleaders, mascots, and enthusiastic staff cheering on their athletes. Opening ceremonies had participants parading down the track with fans in the stands waving and smiling along. During the opening ceremony, student-athletes recited the Pledge of Allegiance and Special Olympic Athlete Oath. Athletes participated in a variety of events that included running and softball toss. Orange Unified is proud to partner with the Orange County Special Olympics to host our spring games for over 230 secondary age students.

Dr. Hansen acknowledged recent activity regarding the pilot health curriculum and stated:

“She and senior leadership in the Curriculum Department received a number of community inquiries concerning the pilot health curriculum for middle school. There are a number of speakers here tonight to comment on this issue, and while it is not on our agenda for discussion, I feel it is important to provide some additional information to the Board and parents.

As I'm sure trustees will agree, issues such as this often cause concern in our community and can sometimes create misunderstanding. In fact, Trustee Lebsack and I have had numerous conversations on this topic and she would probably agree there's always more work we could do to provide stronger lines of communication between the District, our parents and the community at large. Particularly where sensitive issues such as this are concerned.

To that end, I have been in contact with our communications team and will immediately begin reviewing our communications plan for the pilot curriculum. While this new curriculum is a state mandate, I would like to reiterate that the design of the pilot curriculum is sensitive to the community concerns and there is a full parent opt-out choice that is

available. Those forms will be here available to anybody would like to take them. Again, there is a full parent opt-out choice.

Our goal, as with all aspects of our curriculum and student programs, is to be transparent and inclusive of all points of view. My intention is to find additional ways in which we can communicate this program fully to our parents so that they can make informed decisions about their child's education. I look forward to providing the Board with full communications reports in the near future."

Item 9.B. Board Presidents Report

No report

Item 9.C. Board Recognition of Students, Staff and Community

Mrs. Lebsack stated she was excited to learn that El Modena is putting together the construction trade technical education. She added that OUSD has so many amazing programs offered to students and already a waiting list at El Modena for concrete skills, electrical skills, hand tool skills, wall framing, and more.

10. APPROVAL OF MINUTES

None to approve

11. PUBLIC COMMENT: Non-Agenda Items

Speakers

The following speakers expressed their concerns regarding the gender identity/sexual education curriculum in Teen Talk (OUSD will be piloting a revised version in order to comply with AB 329). Many speakers requested the ability to opt out their child from the curriculum and were opposed to implementation of the new curriculum. Additional information and transparency was requested by the speakers, to have been made aware of the pilot program and to gain knowledge about its implementation.

1. Sheri Gail
2. Shelly Wall
3. Saima Rafia
4. Kathy Winter
5. Lynda Curiza
6. Angela Williams
7. Gheorge Rosca
8. Nancy Mangrich
9. Ken Williams
10. Aileen Blachowski
11. Stephanie Yates,
12. Marchelle Esparza
13. Becky Ettinger
14. Sandy Davidson
15. Joe Dabriano

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16. Sharon St. Pierie
 17. Keni Cox
 18. Lori Nadeau
 19. Zonya Townsend
 20. Kerri Edlund

Board Discussion

Mr. Ledesma proposed that the District hold off on this to take more time to find ways to get this pilot program to the community and into parents' hands.

Mrs. Yamasaki pointed that this is not an agenda item and should not be a topic for discussion as the Board needs to provide an opportunity to allow staff to be prepared.

Dr. Hansen pointed out that legally, this is an implementation year for the program; however, there is the opt-out option available. Many of the elements that were pointed out by the speakers are not in the District's program. The teachers and curriculum staff have worked very hard to pull out elements of a program that are teacher-created. The hope was to implement a program that they could pilot, the teachers were ready to pilot and any parents who were concerned could view the curriculum or opt-out. However, the Board has heard from the community and if they want to deliberate on this, Item 16 would be the time to take up this topic.

12. ACTION ITEMS

Item 12.A. Public Hearing – Proposed 2017-20 Year Two Local Control and Accountability Plan

Anne Truex provided information on the Local Control and Accountability Plan. Implementation of the Local Control Funding Formula (LCFF) and the Local Control and Accountability Plan (LCAP) regulations require that each district's LCAP public hearing be held in advance and at a separate meeting prior to the LCAP adoption. The intent of the LCAP hearing is to allow for public comment and recommendations regarding the specific actions and expenditures proposed to be included in the LCAP and budget (Education Code 52062(b)). Further, the regulations require that the public hearing for budget be held at the same meeting as the public hearing for the LCAP. There are eight areas of State priority that must be addressed in the District's LCAP:

Conditions for Learning

Basic Services: provide all students' access to fully credentialed teachers, instructional materials that align with state standards, and safe facilities

Implementation of State Standards: implement the State's Academic and Performance Standards in English and English Language Development, Mathematics and the Next Generation Science Standards

Course Access: ensure all students have access to a broad course of study to prepare them for college and careers

Pupil Outcomes

Student Achievement: improved student learning for all students and subgroups measured by local assessments, state assessments, English proficiency rates, and college and career readiness indicators

Other Student Outcomes: measuring other important student outcomes such as Career Technical Education (CTE) pathway completion, A-G Course completion, Advanced Placement Completion and other locally identified success measures

Engagement

Parental Involvement: meaningful participation by parents that include decision making and program development

Student Engagement: supporting student's connectedness and engagement in school including improved attendance and graduation rates

School Climate: provide a welcoming, healthy school culture for all students as measured by engagement surveys and district discipline data

The development and adoption of the LCAP has become the State-mandated strategic planning process for districts across the State of California. Actions and services identified in the eight state priorities are directly aligned to LCFF funding.

The Board received information on the LCAP Development Process, LCAP Annual Update and 2017-20 Year Two LCAP goals and services as well as the District's summary of stakeholder engagement at the March 8, 2018 Board Meeting.

The contents of the LCAP has been shared with the Superintendent's District Advisory Council (DAC), District English Learner Advisory Committee (DELAC), and various stakeholder committees. An intensive community engagement process beginning in September 2017 resulted in continuous refinement of the LCAP actions and services. In addition, the LCAP was formed by surveys, stakeholder input meetings, and consultation with the employee associations.

The publication notification for the 2017-2020 Year Two Local Control and Accountability Plan (LCAP) public hearing was placed in the Orange County Register. The LCAP and budget document is available for public inspection at the District Administrative Offices and it is also posted on the District website. A public hearing was held to receive public comment on the LCAP as follows.

Public Hearing

The Board President closed the regular meeting of the Board of Education and opened the public hearing at 8:37 p.m.

Speakers

None

The Board President closed the public hearing and reopened the regular meeting at 8:37 p.m.

Item 12.B. Public Hearing – 2017-18 Estimated Actuals and 2018-19 All Funds Budget

David Rivera, Assistant Superintendent Business Services, presented a PowerPoint presentation. Effective 2014-15, Education Code section 52062(b)(2) requires the school district governing board to adopt its' budget at a public meeting. The public meeting at which a school district governing board adopts a budget, must be held after, but not on the same day as, the public meeting at which the governing board holds the required public hearing. The adoption of the proposed budget is

scheduled for the June 7, 2018 board meeting.

Average Daily Attendance: The 2018-19 Budget is constructed on the following student population:

	ADA
OUSD	24,269.80
Non-Public Schools	45.19
Community Day School	29.93
SB 1446 declining enrollment protection	481.80
County Special Education	13.45
County Community Schools	152.58
Sub-Total	24,992.75
El Rancho Charter MS	1,166.24
Santiago Charter MS	938.19
Sub Total (Charter Schools Only)	2,104.43
GRAND TOTAL	27,097.18

The total budgeted attendance of 24,344.92 (not including District charter schools, county special education, county community schools and SB1446 declining enrollment protection) reflects an anticipated decline of 492.86 in District ADA. District charter schools' ADA of 2,104.43 reflects no change as compared to the prior year.

Revenues: The following chart shows the driving factors of the LCFF in addition to ADA:

Cost of Living Adjustment (COLA)	2.51%
Transitional Gap Funding	100.00%
3 Year Rolling Unduplicated English Learner (EL), Free/ Reduced (F/R) and Foster Youth (FY) Student Percentage	51.55%

Until the state adopts its 2018-19 Budget, the proposed funded LCFF yields an estimated \$8,783,056 increase as compared to the prior year primarily due to full funding at the target level.

Most state categorical entitlements and grants known to be ongoing are projected at current levels. Only special education AB602 funding is expected to receive the 2.51% COLA in 2018-19. No increase is anticipated for ongoing federal programs in this adoption. Interest earnings are projected at 1.08% and lottery is estimated at \$194 per student (\$146 unrestricted, \$48 restricted by Proposition 20).

Staffing: Certificated staffing is based upon a ratio of 30:1 for grades TK-6; 32:1 for grades 7-12. Salaries include step/column increases for certificated employees and step/range increases for classified employees. Statutory benefits (STRS, PERS, Workers' Compensation, etc.) are driven by payroll costs. Health benefits are based on current employer contribution levels.

Expenditures: Supplies, services/operating expenses, and capital outlay are in conformity with

estimated site and program budgets.

The estimated unexpended entitlements have been included in components of the 2017-18 ending fund balance and added to the 2018-19 budget expenditure lines. The estimated unexpended entitlements include: Lottery, Billing Option, Huber Trust, OC STEM Initiative and ROP Adult Fee based programs of approximately \$.8 million.

Other unexpended/remaining components of the 2017-18 ending fund balance are non-resident tuition, site/department carryover/ donations, Credential Support Contracts, MediCal Administration Activities, STRS/PERS Increases and school site Lottery allocations of approximately \$ 11 million; these estimated unexpended items are included in the 2018-19 Budget expenditure lines, except for the STRS/PERS Increases, which remain as assignments of the ending balance.

Ending Balance: The projected ending balance of \$44,526,199 is comprised of the following:

Revolving Cash	\$100,000
Stores	\$150,000
Non-resident Tuition	\$84,295
STRS/PERS Increases	6,001,263
Reserve for Economic Uncertainties	\$8,918,219
Unappropriated Amount (Above 3%)	\$29,272,422

The ending balance meets the State-required three-percent reserve, and the 2018-19 Budget complies with the AB1200 accountability guidelines as set forth by the State of California.

The adoption of the proposed budget is scheduled for the June 7, 2018 Board meeting. Unaudited actuals for 2017-18 and budget revisions for 2018-19 resulting from actual carryover and the adoption of the State of California budget will be presented to the Board of Education at its' September 6, 2018 meeting.

The First Interim Report is scheduled for December 6, 2018. The Second Interim will be presented in March 2019.

Public Hearing

The Board President closed the regular meeting of the Board of Education and opened the public hearing at 8:55 p.m.

Speakers

The Board President closed the public hearing and reopened the regular Board of Education meeting at 8:56 p.m.

Item 12.C. Resolution No. 34-17-18 Authorizing the Issuance and Sale of Not to Exceed \$188,000,000 Aggregate Principal Amount of Bonds of the District, Approving the Form of and Authorizing the Execution and Delivery of a Continuing Disclosure Certificate Approving the

Form of and Authorizing the Distribution of an Official Statement and an Official Notice of Sale for the Bonds, and Authorizing the Execution of Necessary Documents and Certificates and Related Actions

On November 8, 2016, the voters of the District approved Measure S, authorizing the District to issue up to \$288 million in aggregate principal of bonds for authorized projects. The Board of Education is requested to approve the above-referenced resolution authorizing the District to issue its first series of bonds under Measure S in an aggregate principal amount not exceeding \$188,000,000.

The bonds will be sold and issued by the District by a competitive sale. Fieldman, Rolapp & Associates, Inc. will serve as the municipal advisor for the transaction, and Orrick, Herrington & Sutcliffe LLP will serve as bond counsel and disclosure counsel. The Board was asked to approve the resolution referenced above to effect the issuance of the bonds and approve various documents and actions, as follows:

Resolution. The resolution authorizes the issuance of the bonds and establishes parameters for the terms thereof, approves the forms of and authorizes the execution and delivery of the financing documents (including the Official Notice of Sale, Notice of Intention to Sell Bonds, Certificate of Award and the Continuing Disclosure Certificate), approves the form of and authorizes the distribution of the official statement (in preliminary and final form), and sets forth the security provisions for the bonds and the covenants of the District to bond owners.

Official Notice of Sale. The Official Notice of Sale invites bids for the public sale of the bonds from bidders, and it describes the details of the bond sale, including the method of delivering bids and the date, time and place of the bid opening, the terms of the bonds and the security therefor and any limitations on the interest rates or purchase price which may be bid for the bonds.

Notice of Intention to Sell Bonds. The Notice of Intention to Sell Bonds is published prior to the sale date in accordance with State law and serves as a notice to potential bidders of the upcoming public sale of bonds.

Certificate of Award. The Certificate of Award is the document by which the Authorized Officers award the sale of the bonds to the bidder with the lowest true interest cost bid.

Continuing Disclosure Certificate. Federal securities laws indirectly require districts to disclose and annually update certain financial and operating information relevant to the security and repayment of bonds. The Continuing Disclosure Certificate contains the undertakings of the District to provide the ongoing disclosure in the form of annual reports and event notices.

Official Statement. The Official Statement (in its preliminary and final form) is used to provide information to investors and prospective investors about the District and the bonds. The bonds constitute securities for purposes of state and federal securities laws and, therefore, the offering and sale of the bonds through the Official Statement is subject to certain provisions of such laws, including, importantly, the anti-fraud laws. The Official Statement sets forth information about the terms of the bonds, the security for the bonds, the sources and uses of the proceeds of the bonds, the District and the tax base of the District, the documents under which the bonds are issued, and the tax-exemption of interest on the bonds.

The bonds will finance projects authorized by the voters at the November 8, 2016 election.

Motion No. 85

It was moved by Mr. Ortega, seconded by Mr. Ledesma , and carried by a roll call vote of 7-0 to adopt Resolution No. 34-17-18 and authorize staff to take the necessary steps to complete the financing.

Item 12.D. Board Member Request to Investigate Voter Registration with the Orange County Voter Information Project

This item is regarding voter registration with the Orange County Voter Information Project. Mr. Ortega is requesting a third party investigator to look into the voter registration that took place on two OUSD campuses, Richland Continuation and El Modena High Schools, in April 2018. This investigation will look into the violations of California Education Code and any other laws that are associated with this occurrence. He is recommending an attorney from the law firm of Atkinson, Andelson, Loya, Ruud, & Romo (AALRR) to complete the investigation and provide a report back to the Board of Education. He would like to receive recommendations from the law firm on any corrective actions moving forward.

Speakers

The following speakers spoke in support of their volunteer roles in helping educate students about voter registration adding that no politics were involved, but rather that the politics are coming from the District, and, as stewards of the District, are asking for a blank check to investigate this matter.

1. Lynn-Marie Frediani
2. Janet Carrerte
3. Kris Erickson
4. Sunny Erickson

Lucy Lindel, Orange High School student who organized a voter registration drive with Orange County Voter Information Project (OCVIP), stated she had a strong belief that civic engagement is important for students.

Board Discussion

Mr. Ortega stated that the reason he brought this forward is to look into something, something that is supposed to be non-partisan. He added that he is not against in any way the civics duties of students to register to vote, which is everyone's constitutional right. Mr. Ortega stated that in his 17 years serving on the school board, we have never seen this to this level. Upon researching the OCVIP, he found it to be completely opposite of a non-partisan organization. Its Facebook page is very one-sided. Additionally, in speaking with the Registrar of Voters (ROV), they did know who OCVIP was and they do not keep track of who registers with the ROV. Mr. Ortega's main concern is where does the student's information goes upon registering with the OCVIP. Further, Mr. Ortega noted that there is a participant who is up for re-election and a participant who has stated that she will be running in the upcoming election. He wanted to bring this item to the Board for their consideration to look into this matter.

Mrs. Yamasaki responded that AB 1817 designates the last two weeks of April and September "to be

high school voter education week during which time persons authorized by the county election officials are allowed to register to vote students and school personnel on high school campuses in areas designated by the administrator or the high school of his or her designee.” There is push to get high school civically engaged. Mrs. Yamasaki pointed out that she has a history of volunteering and it is not out of character for her to volunteer somewhere, especially when it comes to civic duty for our youth.

Mrs. Moffat stated that our Board has not provided a policy to our schools about student voter registration. The Board should not be assigning blame elsewhere. This item is inappropriate. She noted that the Superintendent has worked with legal counsel to develop an appropriate policy that addressed this issue thoroughly in the pursuit of giving students critical information on the importance of voting.

Motion No. 86

It was moved by Mrs. Moffat, seconded by Mrs. Yamasaki and failed by a roll call vote of 2-5 (No: Deligianni, Lebsack, Ledesma, Ortega, Surridge) that this item be tabled and no action will be taken.

Motion No. 87

It was moved by Mr. Ortega, seconded by Mr. Ledesma, to authorize the Superintendent or designee to hire an attorney from the law firm of Atkinson, Andelson, Loya, Ruud & Romo to investigate the voter registration that took place at Richland Continuation and El Modena High Schools and to provide a report of findings to the Board of Education.

Discussion

Mr. Surridge commented that the site administrators should be looking at any group that is allowed on our school campuses and the process staff is using to allow groups on campus. He has concerns regarding protecting student information that is being sent out. It should not go out to random parents no matter who it is.

Mrs. Yamasaki recommended using a law firm that is a third party not associated with the District.

Amended Motion

It was moved by Mr. Ortega, seconded by Mr. Ledesma, and carried by a vote of 5-2 (No: Moffat, Yamasaki) to authorize the Superintendent or designee to hire an attorney from a third party not associated with the District to investigate the voter registration that took place at Richland Continuation and El Modena High Schools and to provide a report of findings to the Board of Education.

Mrs. Moffat signed off at 10:02 p.m.

13. INFORMATION/DISCUSSION ITEMS

Item 13.A. Measure S Capital Facilities Program Update

Mr. Chuck Wren, Assistant Superintendent, Facilities & Maintenance, was to provide a Measure S Capital Facilities Program status report and overview of work currently in progress as it relates to the initial scope of work for the science center projects at the four high schools. However, the

PowerPoint presentation was not available and due to the late hour, no presentation was made.

Item 13.B. Proposed Revisions to Board Policy/Bylaws – First Reading

Speakers

Kris Erickson referred to page 60, and commented that the new bylaw should encourage public participation noting that cutting people off on important topics that exceed 20 minutes could serve to discourage public participation. She encouraged the Board to reject items 4, 5, and 6 in BB 9323.1.

Collete Morse referred to BB 9323 and stated that the term “or Clerk” should be removed in items 8.c and 9 as the Clerk does not serve as the presiding officer. She added that nowhere in the policy is the text that the Clerk reads before the Public Comment. That text should be consistent and included in this policy and on every board agenda to improve transparency of the process.

Introduction

The District’s Board policies and bylaws are reviewed and updated periodically as new state and federal laws and regulations are enacted. The proposed revisions for the following policies are presented for a first reading.

- BP 5150 (New) Student Voter Registration
- BB 9323 Meeting Conduct
- BB 9323.1 (New) Public Comment

Dr. Hansen referred to BB 9323 and 9323.1 and stated that, as new Board President, Dr. Deligianni has worked to try to look at different methodologies to run a more efficient meeting. She has worked with the Superintendent’s Office to look at different versions of these policies. The Board can decide as a Board if this something they would like to engage in as a Board Bylaw.

With regard to BP 5150, Dr. Hansen noted that California Education Code 49040 sets forth the last two full weeks in April and September as “high school voter education week.” Several of the high schools responded to the education code and the Orange County Voter Information Project, using community volunteers, was allowed to set up voter registration tables on the campus of El Modena and Richland Continuation High Schools. When staff learned that an outside group was involved in the voter registration activities, the use of an outside group was discontinued. Staff believes that all voter registration on high school campuses should be handled by teachers, staff and students.

These policies will be brought back for a second and final reading at the June 7, 2018 meeting.

14. CONSENT ITEMS

Speakers

Eric Jennings, with a company that specializes in sports facilities, particularly synthetic turf and field, stated that he was seeking clarification as to the bidding process that has led the District to select KYA Services as an awardee as referenced under the CMAS contract.

Colin McCarthy, a construction attorney in Orange, stated that one of his roles is help contractors navigate the often cumbersome process of project delivery. He clarified the misstatements, factually and legally, that were raised by Eric Jennings.

Motion No. 88

It was moved by Mr. Surridge, seconded by Mr. Ortega, and carried by a roll call vote of 6-0-1 (Absent: Moffat) to approve the consent items.

Item 14.A. Contract Services Report – Measure S

The following contract services were approved:

BID NO. S1718-001 ORANGE HIGH SCHOOL INCREMENT 1 SITE IMPROVEMENTS SWINERTON BUILDERS

On March 1, 2018, the Division of the State Architect (DSA) approved plans developed by Lionakis for the Measure S project Increment No. 1 Site Improvements at Orange High School. As required by Public Contract Code 20112, the District advertised Bid No. S1718-001 Orange High Increment 1 Site Improvements, in the Orange City News on March 28 and April 4, 2018. In addition to the required Public Notice, 382 contractors and five plan rooms were provided notification on two separate marketing effort occasions. Twenty-one prime contractors and 66 electrical, plumbing, and mechanical subcontractors were prequalified to bid the project, with seven prime contractors obtaining the bid documents in order to potentially participate in bidding. One contractor submitted a bid which was opened on May 7, 2018. It is recommended that the Board award Bid No. S1718-001 Orange High School Increment 1 Site Improvements to the responsive responsible bidder, Swinerton Builders, whose bid is within the estimated budget for this project.

Bid Recap	
Bid Description	Orange High School Increment I Site Improvements
Bid Number	S1718-001
Bid Date	May 7, 2018
Prequalified Contractors	21 Prime/General 66 Mechanical, Plumbing & Electrical
Registered Plan Holders	7 Prime
Number of Bidders	1
Lowest Responsive Responsible Bidder	Swinerton Builders
Bid Amount	\$5,965,424
Pre-bid Construction Estimate	\$5,912,341
Recommendation	Award
Anticipated Start Date	June 18, 2018

Building Measure S Project.....\$5,965,424

ENVIRONMENTAL AUDIT, INC. – CEQA EL MODENA HIGH SCHOOL AMENDMENT

In order to comply with the California Environmental Quality Act (CEQA) for the Measure S Science Center Project at El Modena High School, the District requires the services of a CEQA Consultant to perform the requisite environmental analysis, review, and reporting. Environment Audit, Inc. was a respondent to Request for Proposal No. 170922, issued on September 22, 2017, and was awarded a

contract for services needed at El Modena on November 9, 2017. Subsequent to the Board Meeting, an original contract for services to complete a Notice of Exemption was executed in the amount of \$7,450. Project costs to date total approximately \$9,450. In order to complete the work, an additional authorization of \$5,500 is needed to cover the additional services and potential contingencies, for continued analysis, reporting, and incidental expenditures as needed with respect to CEQA at El Modena, for a total authorization as outlined below. Although this request is to increase the contract for services at El Modena, the overall expenditures for CEQA services at all four high schools have not exceeded the original estimate of \$200,000 authorized by the Board on November 9, 2017.

Original Contract Amount	\$ 7,450
Additional Services Authorization	<u>\$ 3,500</u>
Total Amount	\$10,950

Building Measure S Projects.....\$3,500

Item 14.B. Gifts

The attached list of cash donations totaling \$39,916.75 was donated to the District for use as indicated.

Item 14.C. Purchase Orders List

The Board approved the Purchase Order List dated April 23 through May 6, 2018 in the amount of \$3,633,751.54.

Item 14.D. Warrants List

The Board of Education approved the Warrants List dated April 23 through May 6, 2018, in the amount of \$1,990,106.68.

Item 14.E. Contract Services Report – Business Services

The Board approved the following contract services for Business Services.

ELITE MODULAR CHAPMAN MODULAR

On January 18, 2018, staff obtained authorization from the Board to award contracts to Elite Modular Leasing & Sales, Inc., for Measure S Program and Districtwide projects based on Savanna School District’s advertised competitive Bid 2017 District-Wide Contract for the Purchase, Lease, Relocate, Dismantling, and Removal of Division of the State (DSA) Approved Portable Buildings, Project No. SSPU, #40-09/2016-17, awarded to Elite Modular Leasing & Sales, Inc., on January 17, 2017, with an extension of the contract valid through January 10, 2019. Pursuant to Public Contract Code 20118, Savanna School District made this contract available for use by other public agencies. The District has a current need to relocate a portable building, donated by Chapman College, to the District Office. Elite Modular Leasing & Sales proposed a total cost for relocation services in the amount of \$31,700. Staff recommends awarding the contract to Elite Modular Leasing & Sales, Inc., for the dismantling and relocation of the relocatable portable building, and required related services, pursuant to the contract awarded by the Savanna School District.

Facilities.....\$31,700

HARRINGTON GEOTECHNICAL ENGINEERING, INC.

Provide survey/seismic monitoring services to Linda Vista, Nohl Canyon, and Canyon Rim Elementary Schools. The scope of work is to measure and record any site movement of structures and floor slabs.

Maintenancenot-to-exceed \$20,000

INTEGRATED DEMOLITION AND REMEDIATION, INC. BID NO. 1718-774 ASBESTOS ABATEMENT AT MULTIPLE SITES

As required by Public Contract Code, the District advertised Bid No. 1718-774 – Asbestos Abatement at Cerro Villa Middle, Linda Vista, Serrano, and Villa Park Elementary Schools in the Orange City News on March 21 & 28, 2018. In addition to the required Public Notice, vendors were notified and all documents were posted electronically. Eight vendors submitted bids which were opened on April 19. It is recommended that the Board award Bid No. 1718-774 to the lowest responsive responsible Bidder, Integrated Demolition and Remediation Inc.

Deferred Maintenancenot to exceed \$66,800

KENCO CONSTRUCTION SERVICES, INC.

The Department of the State Architect (DSA) requires a certified inspector of record to inspect all school construction projects. Thus, the District needs the services of a DSA certified inspector to provide assistance with the closing of DSA applications, provide onsite inspections for all projects including an HVAC replacement project at Fletcher Elementary and fire suppression system replacement at Portola Middle School.

Various Fundsnot to exceed \$45,000

MIKE’S CUSTOM FLOORING BID NO. 1718-762 INSTALLATION OF NEW CARPET AND TILE AT MULTIPLE SITES

As required by Public Contract Code, the District advertised Bid No. 1718-762 – Installation of New Carpet and Tile at Multiple Sites in the Orange City News on March 21 & 28, 2018. In addition to the required Public Notice, vendors were notified and all documents were posted electronically. Two vendors submitted bids, which were opened on April 23. It is recommended that the Board award Bid No. 1718-762 to the lowest responsive responsible Bidder, Mike’s Custom Flooring.

Deferred Maintenancenot to exceed \$103,702

MIKE’S CUSTOM FLOORING BID NO. 1718-763 INSTALLATION OF NEW CARPET AND TILE AT MULTIPLE SITES

As required by Public Contract Code, the District advertised Bid No. 1718-763 – Installation of New Carpet and Tile at Multiple Sites in the Orange City News on March 21 & 28, 2018. In addition to the required Public Notice, vendors were notified and all documents were posted electronically. Three vendors submitted bids, which were opened on April 23. It is recommended that the Board award Bid No. 1718-763 to the lowest responsive responsible Bidder, Mike’s Custom Flooring.

Deferred Maintenancenot to exceed \$154,034

MIKE’S CUSTOM FLOORING BID NO. 1718-765 INSTALLATION OF NEW CARPET AND TILE AT MULTIPLE SITES

As required by Public Contract Code, the District advertised Bid No. 1718-765 – Installation of New

Carpet and Tile at Multiple Sites in the Orange City News on March 21 & 28, 2018. In addition to the required Public Notice, vendors were notified and all documents were posted electronically. Two vendors submitted bids, which were opened on April 23, 2018. It is recommended that the Board award Bid No. 1718-765 to the lowest responsive responsible Bidder, Mike’s Custom Flooring.

Deferred Maintenancenot to exceed.....\$146,145

NYBERG ARCHITECTS CHAPMAN MODULAR

The Facilities and Maintenance Departments require architectural and planning services for site specific projects. Nyberg Architects has proposed to create construction documents for the installation of a 36’x60’ modular building at the District Office for a fee of \$8,000 plus reimbursable costs. Staff reviewed the proposals and considers the cost to be reasonable. An additional amount of \$800 is added to cover reimbursable costs and contingency for a total authorization of \$8,800.

Facilities..... \$8,800

PROGRESSIVE SURFACE SOLUTIONS BID NO. 1718-761 INSTALLATION OF NEW CARPET AND TILE AT MULTIPLE SITES

As required by Public Contract Code, the District advertised Bid No.1718-761 – Installation of New Carpet and Tile at Multiple Sites in the Orange City News on March 21 & 28, 2018. In addition to the required Public Notice, vendors were notified and all documents were posted electronically. Two vendors submitted bids, which were opened on April 23, 2018. It is recommended that the Board award Bid No. 1718-761 to the lowest responsive responsible bidder, Progressive Surface Solutions.

Deferred Maintenancenot to exceed.....\$147,800

PROGRESSIVE SURFACE SOLUTIONS BID NO. 1718-764 INSTALLATION OF NEW CARPET AND TILE AT MULTIPLE SITES

As required by Public Contract Code, the District advertised Bid No.1718-764 – Installation of New Carpet and Tile at Multiple Sites in the Orange City News on March 21 & March 28, 2018. In addition to the required Public Notice, vendors were notified and all documents were posted electronically. One vendor submitted a bid, which was opened on April 23, 2018. It is recommended that the Board award Bid No. 1718-764 to the lowest responsive responsible Bidder, Progressive Surface Solutions.

Deferred Maintenance.....not to exceed.....\$144,000

STATE OF CALIFORNIA DEPARTMENT OF GENERAL SERVICES CMAS CONTRACT NO. 4-18-78-0089A KYA SERVICES, LLC SYNTHETIC TRACK AND SPORTS FIELDS

Effective October 12, 1994, the State of California approved the use of California Multiple Award Schedules (CMAS) by local governments for a wide variety of commodities, inclusive of equipment, supplies, materials, and services. Using a CMAS contract is a cost-effective manner of procurement for products and services that is available to school districts. Public Contract Code Sections 20118, 10298, and 10299, allow school districts to utilize competitively bid contracts, inclusive of master multiple award schedules and cooperative agreements from other public agencies. The CMAS Contract Number 4-18-78-0089A, awarded to KYA Services, LLC, allows for Non- Information Technology Goods (sports facility product installation). Staff recommends approving KYA’s CMAS agreement, inclusive of future contract renewal options through the CMAS Contract No. 4-18-78-0089A contract term January 22, 2019. KYA reduced their initial pricing approximately \$200,000

for each project at Villa Park and Orange High Schools and \$250,000 for Canyon High School. In addition, staff was able to secure two years of free maintenance for the new track and field surfaces. This program helps the District realize an additional savings of nearly \$20,000 per site per year. CMAS pricing for the procurement/installation of the turf and track portion of the project is as follows:

Canyon HS	\$2,597,437.53
Orange HS	\$2,578,002.65
Villa Park HS	<u>\$2,542,446.25</u>
Total	<u>\$7,717,886.43</u>

This is not a request for additional budgetary appropriation.

Item 14.F. Notices of Completion

The Board authorized staff to file appropriate notices of completion.

BID NO. 726 – Asphalt Work, Unit Price Bid

Project(s): Replace Asphalt on Eastside of Tennis Court/ Orange High School
Board Approval Date: February 15, 2018
Original Purchase Order: 183920
Completion Date: April 19, 2018
Contractor: Universal Asphalt Co., Inc.
Original Project Amount: \$23,900
Change Order 1: \$21,780
Total Project Amount: \$45,680
Fund(s): Maintenance (14)

BID NO. 758 – UPC- General Contractor

Project(s): Repair and Repaint Retaining Wall/Olive Elementary
Board Approval Date: December 07, 2017
Original Purchase Order: 183846
Completion Date: April 19, 2018
Contractor: Martin A. Rodgers
Original Project Amount: \$42,990
Total Project Amount: \$42,990
Fund(s): Maintenance (14)

Item 14.G. Resolution No. 33-17-18: Education Protection Account

The Board approved Resolution No. 33-17-18, designating how to spend the monies received from the Education Protection Account and directing staff to post an annual accounting on the District website, as required by law.

Item 14.H. Resolution No. 35-17-18 to Expand Temporary Inter-Fund Transfers of Special or Restricted Fund Monies for the 2018-19 Fiscal Year

The Board approved Resolution No. 35-17-18 to authorize inter-fund transfers of special or restricted fund monies for the 2017-18 fiscal year. The amounts transferred are accounted for as temporary

borrowing between funds or accounts and shall be repaid in the same fiscal year, or in the following fiscal year, if the transfer takes place within the final 120 calendar days of a fiscal year.

Item 14.I. Contract Services Report – Educational Services

The report of contract services items was approved.

ACTIVE INTERNET TECHNOLOGIES, DBA FINALSITE

Addendum agreement: OUSD will renew the contract with Finalsite, which provides website hosting and content management solution. This allows the District to increase inquiries and boost enrollment, provide a great family experience for the community, and make maintaining the site easier, while maintaining data integrity. This will also include Audioeye, ADA Compliance Technology. The addendum agreement will cover services through August 31, 2018 allowing for a September 1, 2018 billing date for the remaining years of the contract.

Information Services not to exceed \$650

AFTER SCHOOL EDUCATION AND SAFETY (ASES) PROGRAM (Title I Schools)

The After School Education and Safety (ASES) Program is the result of the 2002 voter-approved initiative, Proposition 49. The ASES Grant funds provide for the establishment of tuition-free local after school education and enrichment programs. The program hours are from the end of school to 6:00 PM each day. These programs are created through partnerships between schools and local community resources to provide literacy, academic enrichment and safe constructive alternatives for students in kindergarten through eighth grade (K-8). Grants are awarded, to eligible applicants, for after school programs at school sites that have the highest percentage of students eligible for Free and Reduced Price Meals. The following providers will provide the ASES Grant Program every day school is in session, for the 2018-2019 school year, at the following Title I sites:

YMCA of Orange: Esplanade, Jordan and Prospect Elementary Schools

THINK Together: California, Fairhaven and Lampson Elementary Schools and Portola Middle School

Campfire USA. Inland Southern California Council – Cambridge and Handy Elementary Schools and Yorba Middle School

Boys and Girls Club of Central Orange Coast – West Orange, Sycamore and Taft Elementary Schools

After School Education and Safety Grant Program amount will be approximately \$ 1,582,829.

CALIFORNIA STATE UNIVERSITY FULLERTON DEPARTMENT OF LITERACY AND READING

California State University (CSU) Fullerton Department of Literacy and Reading will provide professional development services to teachers from various sites, with students from Palmyra and Cambridge Elementary Schools. This professional development will take place spring through fall 2018. Services will include a Professional Learning Series of workshops for teachers, and will include 24 hours of summer college 4 Kids curriculum for participating students. Teachers will receive training, mentoring and in-class support from CSUF, as they implement reading intervention to increase student reading ability. CSUF will design the curriculum for the summer program. Teachers will spend time planning and receive coaching and further training from CSUF.

Title I funds.....not-to-exceed \$13,778

FACILITIES PROTECTION SYSTEMS (FPS)

Facilities Protection Systems (FPS) will continue to provide preventive maintenance services for the fire alarm system in the Data Center from May 2018 through August 2019.

Information Services not to exceed \$1,884

PAXTON PATTERSON The Office of Curriculum and Instruction will be facilitating a Construction Trades Lab at El Modena High School. The lab will take students through 18 *Paxton Patterson Building Skills Construction Careers for the 21st Century* modules which consist of the following:

- | | |
|---------------------------|--|
| Blueprint Reading Skills | Communication Skills |
| Concrete Skills | Drywall Skills |
| Electrical Skills | Estimation Skills |
| Hand Tool Skills | Surveying & Site Planning |
| Wall Framing Skills | Carpentry Skills |
| Green Construction Skills | Masonry Skills |
| Painting Skills | Plumbing Skills |
| Roof Framing Skills | Tiles Setting Skills |
| Weatherization | Heating, Ventilation & Air Conditioning Skills |

The lab will be open to all students and will offer University of California A-G approved elective courses offered within the Construction Pathway. Students will have the opportunity to apply the skills learned in the various modules through paid internships after graduation.

CTEIG Grant.....not-to-exceed.....\$225,000

ARROWHEAD RANCH OUTDOOR SCIENCE SCHOOL

Arrowhead Ranch Outdoor Science School, located in the San Bernardino Mountains, offers an educational program for 5th and 6th grade students. A three-to-five day program provides students an opportunity to study science in a natural setting. The curriculum correlates to the 5th and 6th grade California Science standards. The cost per student is supplemented by funds earned through fundraising, parent organizations and individual donations. Student scholarships are available. There is no impact to the general fund.

CALIFORNIA OUTDOOR EDUCATION & SCIENCE SCHOOL (C.O.D.E.S.)

California Outdoor Education & Science School, located in Angelus Oaks, offers an educational program for 5th and 6th grade students. A three-to-five day program provides students an opportunity to study science in a natural setting. The curriculum correlates to the 5th and 6th grade California Science standards. The cost per student is supplemented by funds earned through fundraising, parent organizations and individual donations. Student scholarships are available. There is no impact to the general fund.

CATALINA ISLAND MARINE INSTITUTE (CIMI) – GUIDED DISCOVERIES

Catalina Island Marine Institute (CIMI) is a unique outdoor science school, providing an exciting outdoor educational experience for 4 through 12th grade students. The focus is hands-on experiential science utilizing state of the art labs and equipment to increase science literacy and environmental stewardship. The program also stimulates minds, builds character, develops social skills, and most importantly, creates excitement about science. The curriculum correlates to the elementary grade California Science standards. The cost per student is supplemented by funds earned through

fundraising, parent organizations and individual donations. Student scholarships are available. There is no impact to the general fund.

EMERALD COVE OUTDOOR SCIENCE INSTITUTE

Emerald Cove Outdoor Science Institute, located in Running Springs, offers the Outdoor Science School for 5th and 6th grade students. A four or five day program provides students an opportunity to study science in a natural setting. The curriculum correlates to the 5th and 6th grade Science standards. The cost per student is supplemented by funds earned through fundraising, parent organizations and individual donations. Student scholarships are available. There is no impact to the general fund.

HIGH TRAILS OUTDOOR SCIENCE SCHOOL

High Trails Outdoor Science School in the San Bernardino Mountains offers an educational program for 5th and 6th grade students. A three-to-five day program provides students an opportunity to study science in a natural setting. The curriculum correlates to the 5th and 6th grade California Science standards. The cost per student is supplemented by funds earned through fundraising, parent organizations and individual donations. Student scholarships are available. There is no impact to the general fund.

IRVINE RANCH OUTDOOR EDUCATION CENTER SCIENCE SCHOOL

The Irvine Ranch Outdoor Education Center Science School, in the City of Orange, offers an educational program for 5th and 6th grade students. A three-to-five day program provides students an opportunity to study science in a natural setting. The curriculum correlates to the 5th and 6th grade California Science standards. The cost per student is supplemented by funds earned through fundraising, parent organizations and individual donations. Student scholarships are available. There is no impact to the general fund.

OCEAN INSTITUTE – DANA POINT

The Ocean Institute in Dana Point Harbor offers an educational program for elementary grade level students. A one day event or overnight stay program provides students an opportunity to study science in a natural setting educating them through over 60 marine science and maritime history programs. The curriculum correlates to the elementary California Science standards. The cost per student is supplemented by funds earned through fundraising, parent organizations and individual donations. Student scholarships are available. There is no impact to the general fund.

ORANGE COUNTY DEPARTMENT OF EDUCATION INSIDE THE OUTDOORS: FIELD & SCHOOL PROGRAMS

OCDE offers the Inside the Outdoors Program for students in grades K-6. The program includes a one-hour on-site program (School Program) with a traveling naturalist for K-3 students. This program provides the foundation for student participation in the Outdoor Science School Program. The cost per student is supplemented by funds earned through fundraising, parent organizations and individual donations. Student scholarships are available. There is no impact to the general fund.

PALI INSTITUTE OUTDOOR EDUCATION PROGRAM

Pali Institute Outdoor Education Program, located in the San Bernardino Mountains, offers an educational program for 5th and 6th grade students. A three-to-five day program provides students an

opportunity to study science in a natural setting. The curriculum correlates to the 5th and 6th grade California Science standards. The cost per student is supplemented by funds earned through fundraising, parent organizations and individual donations. Student scholarships are available. There is no impact to the general fund.

RILEY’S FARM-COLONIAL CHESTERFIELD PROGRAM

Riley’s Farm, located in Oak Glen, offers a diverse variety of tours ranging from the beginning of America’s revolution to the Gold Rush of 1848. History comes to life defending the freedom of the American Colonies, debating the choice of succession on the brink of the Civil War, or prospecting for gold as a 49er. Students will be inspired by the sights and sounds of history in the re-making. A living history adventure is much more than a field trip, it’s a chance to experience a first-hand glimpse of America’s past. The curriculum correlates to the elementary grade California Science standards. The cost per student is supplemented by funds earned through fundraising, parent organizations and individual donations. Student scholarships are available. There is no impact to the general fund.

YMCA OUTDOOR EDUCATION PROGRAM

YMCA Outdoor Education Program, in Cleveland National Forest in Julian, offers an educational program for 5th and 6th grade students. A four-to-five day program provides students an opportunity to study science in a natural setting. The curriculum correlates to the 5th and 6th grade California Science standards. The cost per student is supplemented by funds earned through fundraising, parent organizations and individual donations. Student scholarships are available. There is no impact to the general fund.

CREATIVE BEHAVIOR INTERVENTIONS

Provide independent evaluation to student with exceptional needs.
Special Education not-to-exceed \$3,000

HOLLAR SPEECH AND LANGUAGE Provide independent speech evaluation to student with exceptional needs.
Special Education not-to-exceed \$5,600

LAW OFFICES OF ARLENE BELL

The District will pay for attorney’s fees as the result of a settlement agreement.
Special Education not-to-exceed \$6,300

LAW OFFICES OF MICHELLE ORTEGA

The District will pay for attorney’s fees as the result of a settlement agreement.
Special Education not-to-exceed \$6,100

Item 14.J. Study Trip

The Board approved the following study trip.

Canyon High School – Track & Field – Clovis, CA – May 31 – June 2, 2018

Canyon High School’s Track & Field athletes, under the direction of Coach Chris Anderson, will travel to Clovis to participate in CIF State Track Meet Finals. One male and one female student will

be accompanied by two male and one female adult chaperones. Transportation will be provided by parents who will have an approved OUSD driver certification form on file with Risk Management prior to the trip. The chaperones and students will stay at the Fairfield Inn. There is no cost per student and no student is prevented from making the field trip due to lack of sufficient funds per Education Code 35330(b), 35331. The students will miss one day of school. A one day substitute is required and will be paid using site funds.

Item 14.K. California Scholastic Federation Designation of Representatives to League

The principal of each Orange Unified School District comprehensive high school has been selected as the school's league representative.

Item 14.L. Textbook Adoptions – Final

The Board adopted the attached list of textbooks.

16. PUBLIC COMMENT: Non-Agenda Items

No speakers

17. OTHER BUSINESS

Mr. Ledesma wanted to address his proposal about having a meeting before June 5 in regard to the pilot program that is to be implemented on June 5. He noted that there is confusion about the opt-out provision and the curriculum.

Dr. Deligianni stated she was in favor of postponing the process.

Mrs. Lebsack stated she was in favor of calling for an emergency meeting in order to do that.


Mr. Ortega was in favor of postponing the process. The item needs to be agendaized for the Board to take action.

Dr. Hansen noted that this program is only be implemented at three middle schools and McPherson and proposed that those schools have parent meetings and take care of all the opt-outs of any parent that wants to come in. She presented this option as a way to handle this without the Board having to have a meeting. If the Board chooses to have a meeting, the Curriculum Department could postpone the date the program is scheduled to be rolled out until the Board meets.

The Board decided to meet on Wednesday, May 30, 6:30 p.m.

18. ADJOURNMENT

By call of the chair, the meeting adjourned at 10:27 p.m.



Timothy Surridge
Clerk of the Board