

IRVINE UNIFIED SCHOOL DISTRICT

Administration Center, 5050 Barranca Parkway, Irvine, CA 92604-4652, www.iusd.org

**BOARD OF EDUCATION
AGENDA**

Tuesday, February 2, 2010

REGULAR MEETING:

5:00 PM

1. **CALL TO ORDER — ROLL CALL**
- *2. **ORAL COMMUNICATION**

ADJOURN TO CLOSED SESSION

3. CLOSED SESSION

Conducted in accordance with applicable sections of California law, Closed Sessions are not open to the general public. If additional time is required, the Board will reconvene the Closed Session at the end of the regular meeting.

- a. **Student Discipline Issues (10 cases)** [Education Code §§ 35146 and 48918(c)]
- b. **Conference with Legal Counsel – Existing Litigation (3 cases)**
[Government Code §54956.9]
 - 1) Office of Administrative Hearing - Case No. 2009050088
 - 2) Central District of California - Case No. SACV09-949 AG (ANX)
 - 3) Claimant: City of Irvine - CEQA Lawsuit re: Stadium at University High School
- c. **Conference with Labor Negotiators** [Government Code §54957.6]
Agency Negotiator: Terry Walker, Assistant Superintendent, Human Resources
Employee Organization: Irvine Teachers Association

RECONVENE REGULAR MEETING:

7:00 PM

4. **PLEDGE OF ALLEGIANCE — MOMENT OF SILENCE — ROLL CALL**
5. **REPORT OF CLOSED SESSION DISCUSSION / ACTION**
6. **APPROVAL OF MINUTES OF PREVIOUS MEETING**

The District will make every attempt to accommodate any attendee or participant at this meeting who needs special assistance. Please contact the Superintendent's Office at 949.936.5000 at least 48 hours prior to the meeting.

Regular board meetings are broadcast live on channel 39.

- * *Opportunities for public input occur at the beginning of each agenda item and at Oral Communication (for items not on the agenda). Persons wishing to address the Board should complete a blue request form, available on the information table, and submit it to the Board Secretary. Each topic or item is limited to 30 minutes; each speaker is limited to 3 minutes.*

**November 10, 2009 Special Meeting
November 17, 2009 Regular Meeting**

7. ADOPTION OF THE AGENDA

8. SPECIAL PRESENTATIONS/RECOGNITIONS

a. IPSF Update

Cheryl Braun, Director of Community Relations

b. PTA Council Update

Steffanie Early, President

***9. ORAL COMMUNICATION**

An opportunity to speak to a topic not on the agenda; limited to 3 minutes per person, 30 minutes per topic.

10. STUDENT BOARD MEMBER REPORTS

11. SUPERINTENDENT'S REPORT

12. ANNOUNCEMENTS AND ACKNOWLEDGMENTS

Board Report on School Visits, Conference Attendance, and Meeting Participation

***13. CONSENT CALENDAR**

All matters of the Consent Calendar are considered to be routine and will be enacted by the Board in one motion, without prior discussion. At the time the Board adopts the agenda an item may be removed from the consent calendar by the Board, staff, or community for discussion.

a. Payment for Nonpublic School/Agency Services for Special Education Students

Recommendation: Approve the individual pupil service contract(s) for disabled student(s) negotiated between the Irvine Unified School District and State Certified Nonpublic Schools/Agencies.

b. Contract for Special Education Related Services

Recommendation: Authorize payment for special education related services in an amount not to exceed \$11,920.00.

c. Payment in Accordance with the Terms of the Settlement Agreement(s)

Recommendation: Authorize payment in an amount not to exceed \$75,000.00 in accordance with the terms of the Settlement Agreement(s).

d. Request to Waive the California High School Exit Exam as a Requirement for Graduation for Students Receiving Special Education Services

Recommendation: Approve request to waive the requirement to pass the California High School Exit Examination as a condition of receiving a diploma of graduation for identified students.

e. Submission of the 2009-2010 Consolidated Application, Part II

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Recommendation: Approve the submission of the District's Consolidated Application, Part II for 2009-10 to the California Department of Education.

f. **Budget Development Calendar for Fiscal Year 2010-2011**

Recommendation: Approve the IUSD Budget Development Calendar for Fiscal Year 2010-2011.

g. **Purchase Order Detail Report**

Recommendation: Approve the Purchase Order Detail Report dated January 21, 2010.

h. **Check Register Report**

Recommendation: Ratify issuance of check numbers as listed, representing Board authorized purchase orders, invoices and contracts:

District 75, Irvine Unified School District - Numbers 00139155 through 00140339

District 50, Community Facilities District No. 01-1 - Numbers 00001429 through 00001434

District 44, Community Facilities District No. 86-1 - Numbers 00004059 through 00004072

District 41, Irvine Child Care Project - Numbers 00002403 through 00002416

Revolving Cash - Numbers 32454 through 32603

i. **Contract Services Action Report**

Recommendation: Approve and/or ratify the Contract Services Action Report 2009-10/10, as submitted.

j. **Rescind Awards of June 2, 2009 and Authorize Award of Contracts for the Purchase of School and Office Furniture for Various Sites Per the IUSD's School and Office Furniture Bid #08-09-01**

Recommendation: Rescind the award of contracts approved on June 2, 2009 and reject the piggy-back feature contained in the bid documents. Additionally, authorize the Assistant Superintendent/CFO of Business Services to award contracts for the purchase of school and office furniture items as listed for various sites renewable for up to 5 (five) years to the following vendors pursuant to Bid No. 08-09-01: Corporate Business Furniture (CBF), McMahan Business Interiors and Virco, Inc.

k. **Classified Personnel Action Report**

Recommendation: Approve and/or ratify the Classified Personnel Action Report 2009-10/10, as submitted for Employment and retirement.

l. **Certificated Personnel Action Report**

Recommendation: Approve and/or ratify the Certificated Personnel Action Report 2009-10/10, as submitted for Employment.

m. **Gifts**

Recommendation: Accept gifts to the District, as listed.

n. **Field Trips and Excursions**

Recommendation: Approve the following field trips funded by donations —

1) Irvine High School boys track and field to Fresno, California, on February 5-7, 2010 for \$600.00;

2) Woodbridge High School Entertainers/Encore students to Anaheim, California, on ~~January 19, 2010~~ February 10, 2010 for \$560.00;

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- 3) University High School Junior State of America students to Long Beach, California, on February 13-14, 2010 for \$3,500.00;
- 4) Woodbridge High School physics, anatomy and physiology students to Buena Park, California, on March 4, 2010 for \$3,200.00;
- 5) Northwood High School Model United Nations students to Berkeley, California, on March 5-7, 2010 for \$9,000.00;
- 6) Oak Creek 5th grade students to Oak Glen, California, on March 25, 2010 for \$3,220.00;
- 7) Irvine Home School 4th – 8th grade students to Bonsall, California, on April 14-16, 2010 for \$3,700.00;
- 8) Turtle Rock 4th grade students to Anaheim, California, on June 10, 2010 for \$5,084.00.

o.

***14. FACILITIES CONSENT CALENDAR**

All matters of the Community Facilities District Consent Calendar are considered to be routine and will be enacted by the Board in one motion, without prior discussion. At the time the Board adopts the agenda an item may be removed from the consent calendar by the Board, staff, or community, for discussion.

a. Change Order – Stone Creek Elementary School – Modernization Project

Recommendation; Approve the listed change order in the deductive amount of <\$4,042.00>, at the Stone Creek Elementary School Modernization project. No change to the completion date.

b. Change Orders – Lakeside Middle School – Modernization Project

Recommendation: Approve the listed change orders in the cumulative amount of \$38,583.00, at the Lakeside Middle School Modernization project. No change to the completion date.

c. Change Orders – Woodbridge High School – Modernization Project

Recommendation: Approve the listed change orders in the cumulative amount of \$9,680.00, at the Woodbridge High School Modernization project. No change to the completion date.

d. Change Order – Woodbridge High School – Interim Housing Project

Recommendation: Approve the listed change order in the amount of \$27,789.76, at the Woodbridge High School Interim Housing project. No change to the completion date.

e. Notice of Completion – Stone Creek Elementary School – Modernization Project

Recommendation: Accept the contract of the listed contractor for the Stone Creek Elementary School Modernization project as complete and authorize staff to file a Notice of Completion with the County of Orange Recorder's Office.

f. Notice of Completion – Woodbridge High School – Interim Housing Project

Recommendation; Accept the contract of the listed contractor for the Woodbridge High School Interim Housing project as complete and authorize staff to file a Notice of Completion with the County of Orange Recorder's Office.

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- g. **Notice of Completion – Replacement of One (1) Existing Shade Structure and Relocation of One (1) Relocatable Classroom at Eastshore Elementary School**
 Recommendation: Authorize the Assistant Superintendent/CFO of Business Services to accept the one (1) 30' x 40' x 10' (height) shade structure and the relocation of one (1) 48' x 40' relocatable classroom at Eastshore Elementary School as complete, and authorize staff to file a Notice of Completion with the County of Orange Recorder's Office.
- h. **Authorization to Renew Lease of Two (2) Relocatable Classrooms at Alderwood Basics Plus Elementary School**
 Recommendation: Acting as the governing body of Community Facilities District No. 01-1, authorize the Assistant Superintendent/CFO of Business Services to enter into a contract with Mobile Modular Management Corporation to renew the lease of two (2) 24' x 40' DSA approved relocatable classrooms at Alderwood Basics Plus Elementary School.
- i. **Community Facilities District No. 09-1 Special Tax Notes**
 Recommendation: For the Board's information

ITEMS REMOVED FROM CONSENT CALENDARS

Items removed from Consent Calendars will be addressed at this time.

***15. ITEMS OF BUSINESS**

- a. **State of the Budget – Update**
 Recommendation: For the Board's information.
- b. **PUBLIC HEARING: Joint Bargaining Proposal Regarding the 2010-2011 Agreement Between Irvine Unified School District and California School Employees Association**
 Recommendation: After holding the public hearing and considering all comments, adopt the joint proposal of the California School Employees Association and the Irvine Unified School District in order to initiate the bargaining process on these Articles.
- c. **PUBLIC HEARING: Joint Bargaining Proposal Regarding the 2009-2010 and the 2010-2011 Agreement Between Irvine Unified School District and Irvine Supervisory Association**
 Recommendation: After holding the public hearing and considering all comments, adopt the joint proposal of the Irvine Supervisory Association and the Irvine Unified School District in order to initiate the bargaining process on these Articles.
- d. **PUBLIC HEARING: Joint Bargaining Proposal Regarding the 2010-2011 Agreement Between Irvine Unified School District and Irvine Teachers Association**
 Recommendation: After holding the public hearing and considering all comments, adopt the joint proposal of the Irvine Teachers Association and the Irvine Unified School District in order to initiate the bargaining process on these Articles.
- e. **RESOLUTION NO. 09-10-45: Initiate Proceedings for the Levy and Collection of**

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Assessments Within the Irvine Unified School District Recreation Improvement and Maintenance District for Fiscal Year 2010-11 - Roll Call

Recommendation: Adopt Resolution No. 09-10-45 which authorizes the initiation of proceedings for the levy and collection of assessments for fiscal year 2010-11 within the IUSD Recreation Improvement and Maintenance District.

ITEMS REMOVED FROM CONSENT CALENDARS

Items removed from Consent Calendars, requiring additional information from staff.

***16. ORAL COMMUNICATION**

17. CLOSED SESSION

Conducted in accordance with applicable sections of California law, Closed Sessions are not open to the general public.

18. ADJOURNMENT

PRESIDENT: Sharon Wallin

SUPERINTENDENT: Gwen E. Gross

FUTURE MEETINGS:

February 16, 2010

March 2, 2010

A copy of the board meeting agenda and support materials is posted on the District's web site (www.iusd.org/board/) prior to the close of business on the Friday preceding the meeting. Any written materials distributed to the Board after the 72 hour posting period will also be made available for public review at the time of distribution. Copies may also be obtained at the District Administration Center or at the meeting.

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Irvine Unified School District
Irvine, California

Board of Education
Minutes of Special Meeting
November 10, 2009

Call to Order

The Special Meeting of the Board of Education was called to order by President Huntley-Fenner at 3:34 p.m., in the District Administration Center, 5050 Barranca Parkway, Irvine, California.

Roll Call

Members Present:

Sue Kuwabara, Carolyn McInerney, Mike Parham, Sharon Wallin, Gavin Huntley-Fenner

Members Absent:

None

Oral Communication

None

Closed Session

The Board adjourned to Closed Session at 3:36 p.m.

Conference with Real Property Negotiators

The Board discussed real property negotiations related to the property at 311 West Yale Loop and provided direction to staff.

Reconvene Special Meeting

President Huntley-Fenner reconvened the Special Meeting at 4:12 p.m.

Pledge of Allegiance

The Pledge of Allegiance to the United States of America was led by Lloyd Linton and was followed by a moment of silence.

Roll Call

Members Present:

Sue Kuwabara, Carolyn McInerney, Mike Parham, Sharon Wallin, Gavin Huntley-Fenner

Members Absent:

None

Staff:

Gwen Gross, Superintendent of Schools
Lisa Howell, Assistant Superintendent, Business Services
Cassie Parham, Assistant Superintendent, Education Services
Terry Walker, Assistant Superintendent, Human Resources
Lee Brooks, Executive Assistant to the Superintendent

Other Staff:

Barbara Causee, Mark Cunningham, Dana Hamernik, Ian Hanigan, Jim Helman,
Joe Hoffman, Lloyd Linton, Ginger MacArthur, Sherry McGrew, Lorrie Ruiz,
Lauren Sipelis, Mark Sontag, Anne Trefz, Jason Vilorio

Facilities Study Session

Assistant Superintendent Lisa Howell reviewed the purpose of the Facilities Master Plan and Director Lloyd Linton provided an historic overview of completed projects, projects currently underway, and plans for the future, including expansion of "green" building concepts.

Facilities Planning Director Lorrie Ruiz reviewed 2009-10 enrollment projections, reporting an increase of 327 students K-12 (excluding Home School), with the biggest increase at Kindergarten. The effect of new development on the District's timeline for new schools was also discussed.

The Board asked about the impact of the change in Inter-District Transfer practices and discussed relocatable placements. A shared desire to convene a High School Planning Committee at the point enrollment reaches critical mass was also expressed.

Assistant Superintendent Howell reported on the work of the Space Allocation Committee, including representatives from Education Services, Fiscal, Facilities and Maintenance, which was convened to surface issues and brainstorm solutions regarding facilities and program issues. Potential facility challenges due to changes in the Class Size Reduction program were also discussed.

Howell reviewed funding options for all approved projects and responded to questions from the Board regarding the use of developer fees, the possibility of the State allowing the use of

facilities funds for operations (which is not likely), and how best to prioritize projects.

Board direction to staff:

- Post project progress to website
- Obtain updated Irvine Business Complex (IBC) map
- Provide updated capacity/enrollment projections (Spring)
- Establish Site Selection Committee for new high school
- Establish High School Planning Committee
- Hire architect for new high school
- Schedule next meeting to discuss policy, prioritization process, etc.
- Provide alternative funding sources for the Stadium at University High School

Adjournment

There being no further Board of Education business, the meeting was adjourned at 5:45 p.m.

Gavin Huntley-Fenner, Ph.D.
Board President

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

Irvine Unified School District
Irvine, California

Board of Education
Minutes of Regular Meeting
November 17, 2009

Call to Order

The Regular Meeting of the Board of Education was called to order by President Huntley-Fenner at 6:05 p.m., in the District Administration Center, 5050 Barranca Parkway, Irvine, California.

Roll Call

Members Present:

Sue Kuwabara, Carolyn McInerney, Mike Parham, Sharon Wallin, Gavin Huntley-Fenner

Members Absent:

None

Oral Communication

None

Closed Session

The Board adjourned to Closed Session at 6:07 p.m.

Student Discipline Issue

The Board discussed two student discipline issues.

Public Employee Performance Evaluation

The Board discussed the Superintendent's Goals and Objectives for 2009-11.

Reconvene Regular Meeting

President Huntley-Fenner reconvened the regular meeting at 7:15 p.m.

Pledge of Allegiance

The Pledge of Allegiance to the Flag of the United States of America was led by Student Member Brianne Searl and was followed by a moment of silence.

Roll Call

Members Present:

Sue Kuwabara, Carolyn McInerney, Mike Parham, Sharon Wallin, Gavin Huntley-Fenner

Members Absent:

None

Student Members Present:

Laura Bran, Gal Sadlik, Lucas Salzman, Brianne Searl

Student Members Absent:

None

Staff:

Gwen Gross, Superintendent of Schools
Lisa Howell, Assistant Superintendent, Business Services
Cassie Parham, Assistant Superintendent, Education Services
Terry Walker, Assistant Superintendent, Human Resources
Lee Brooks, Executive Assistant to the Superintendent

Other Staff:

Janelle Cranch, Jeanie Fritzsche, Ian Hanigan, Paul Mills, Rick Seibert, Mark Sontag

Video Production Services:

James Adling
Brian Des Palmes

Closed Session Report

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

Student Discipline Issues

On the motion of Member McInerney, seconded by Member Kuwabara and carried 5-0, the Board approved the staff recommendation to expel Student No. 191095319 through January 28, 2010.

On the motion of Member McInerney, seconded by Member Parham and carried 5-0, the

approved the staff recommendation to expel Student No. 191094990 through June 23, 2010, with immediate suspension of the expulsion, allowing the student to return with probationary status.

Adoption of the Agenda

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

- REVISE Item 3a - *Student Discipline Issues* (1 case removed by staff)
- REVISE Item 13g - *Receive Bids/Award Contract Woodbridge High School
Modernization Parking Lot Expansion and Fire Road Loop*
- REVISE Item 14e - *Resolution No. 09-10-35: To Establish Temporary Interfund
Transfers of Special or Restricted Fund Monies*

Items Removed from Consent Calendars for Discussion and Separate Action:
Item 13g - *Receive Bids/Award Contract Woodbridge High School
Modernization Parking Lot Expansion and Fire Road Loop*

Special Presentations/Recognitions

IPSF Walk to School Day

Debbie Rugani, IPSF Vice President of Community Initiatives and Programs, presented highlights of the October 23 Walk to School Day and expressed appreciation to all who contributed to the event.

Oral Communication

None

Student Board Member Reports

Student Members Bran, Sadlik, Salzman and Searl reported on school activities.

Superintendent's Report

Superintendent Gross reported on current district activities, awards and recognitions.

Congratulations to:

- California Distinguished School Nominees – Bonita Canyon, Meadow Park, Oak Creek, Plaza Vista, Stone Creek, Stonegate, Turtle Rock, University Park
- Grammy School Finalist - Irvine High School
- University H.S. junior Hope Xu, who received a perfect 2400 SAT score
- Northwood H.S. junior Govil Gupta, for founding "Wonder Writers" and raising more than \$8,000 for CHOC and the ALS Foundation
- Woodbridge H.S. student leadership, who were recognized for their excellence by the WASC visitation team

In appreciation:

- Nancy Colocino and Debbie Bianchi for coordination of another successful Red Ribbon Week
- Lynn Kaminsky and Ryan Painter for planning and facilitating the Middle School Youth Conference held November 13
- The Irvine Korean Parents Association and the Irvine Public Schools Foundation for their remarkable fundraising efforts

Announcements:

- PTA Reflections Awards were held at City Hall on November 12

Announcements and Acknowledgments

Members Kuwabara, McInerney, Wallin and Huntley-Fenner reported on school visits, conference attendance, and meeting participation.

Consent Calendar

On the motion of Member Wallin, seconded by Member Kuwabara and carried 5-0 (Student Members voting "Yes"), the Board took the following action on the amended Consent Calendar:

1. **Payment for Nonpublic School/Agency Services for Special Education Students**
Approved the individual pupil service contract(s) for disabled student(s) negotiated between the Irvine Unified School District and State Certified Nonpublic Schools/Agencies.
2. **Purchase Order Detail Report**
(A copy is attached to and made a part of these minutes.)
Approved the Purchase Order Detail Report dated November 4, 2009.
3. **Check Register Report**

Ratified issuance of check numbers as listed, representing Board authorized purchase orders, invoices and contracts:

District 75, Irvine Unified School District - Numbers 00136971 through 00137572

District 44, Community Facilities District No. 01-1 - Numbers 00004036 through 00004045

District 50, Community Facilities District No. 86-1 - Numbers 00001425 through 00001426

Revolving Cash - Numbers 32216 through 32282

4. **Contract Services Action Report**

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

Approved and/or ratified the Contract Services Action Report 2009-10/07, as submitted.

5. **Participation in the Orange County Department of Education Inside the Outdoors Field Program for the 2009-2010 School Year**

Approved participation of University Park Elementary School in the Inside the Outdoors Field Program with the Orange County Department of Education for the 2009-2010 school year.

6. **Classified Personnel Action Report**

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

Approved and/or ratified the Classified Personnel Action Report 2009-10/07, as submitted for Employment, Retirements and Terminations.

7. **Certificated Personnel Action Report**

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

Approved and/or ratified the Certificated Personnel Action Report 2009-10/07, as submitted for Employment.

8. **Field Trips and Excursions**

Approved the following field trips funded by donations:

1) Northwood High School Junior State of America students to Newport Beach, California, on November 21-22, 2009 for \$1,200.00;

2) University High School boys' varsity soccer team to Fresno, California, on December 4-5, 2009 for \$900.00;

3) Northwood High School Model United Nations students to Chicago, Illinois, on December 10-13, 2009 for \$10,500.00;

4) Eastshore 6th grade students to Long Beach, California, on January 4, 2010 for \$2,020.00;

5) Irvine High School boys' track and field students to Colorado Springs, Colorado, on January 15-17, 2010 for \$600.00;

6) Woodbridge High School 10th - 12th grade students to Washington, D.C., on February 14-19, 2010 for \$21,096.00;

7) University Park 4th grade students to Dana Point, California, on April 15-16, 2010 for

- \$3,000.00;
- 8) Stone Creek 6th grade students to Irvine, California, on June 22, 2010 for \$1,505.00.

Facilities Consent Calendar

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

1. **Change Order – Stonegate Elementary School**
Approved the listed Change Order in the deductive amount of <\$956.00>, at the Stonegate Elementary School project. No change to the completion date.
2. **Notice of Completion – Stonegate Elementary School**
Accepted the contract of the listed contractor for the Stonegate Elementary School project as complete and authorized staff to file a Notice of Completion with the County of Orange Recorder's Office.
3. **Change Orders – Stone Creek Elementary School Modernization Project**
Approved the listed change orders in the cumulative amount of \$31,184.00, at the Stone Creek Elementary School Modernization project. No change to the completion date.
4. **Notice of Completion – Stone Creek Elementary School Modernization Project**
Accepted the contract of the listed contractor for the Stone Creek Elementary School Modernization project as complete and authorized staff to file a Notice of Completion with the County of Orange Recorder's Office.
5. **Change Orders – Woodbridge High School Modernization Project**
Approved the listed change orders in the cumulative amount of \$17,981.00, at the Woodbridge High School Modernization project. No change to the completion date.
6. **Notice of Completion – Modular Classrooms Project Vista Verde K-8 School**
Accepted the contract of the listed contractor for the Vista Verde K-8 Modular Classrooms project as complete and authorized staff to file a Notice of Completion with the County of Orange Recorder's Office.
7. **Community Development Block Grant Contract for Grant Award Sierra Vista Middle School Modernization Project**
Authorized the Assistant Superintendent/CFO of Business Services to enter into a contract with the City of Irvine for the Community Development Block Grant for the grant award amount of \$550,521.00 for the Sierra Vista Middle School Modernization project.

Items Removed From Consent Calendars

Receive Bids/Award Contract – Woodbridge High School Modernization Parking Lot Expansion and Fire Road Loop

On the motion of Member McInerney, seconded by Member Kuwabara and carried 5-0, the Board authorized the Assistant Superintendent/CFO of Business Services to award the contract for the Woodbridge High School Modernization Parking Lot Expansion and Fire Road Loop project for each bid category as listed in the board report.

Items of Business

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

Authorization to Enter into Agreement with Public Agency Retirement Services (PARS) to Offer a Supplementary Retirement Plan for Eligible Certificated Non-Management Employees

Assistant Superintendent Terry Walker highlighted key elements of the supplementary retirement plan for certificated teachers, reporting 69 participants out of 394 eligible employees. He advised a projected savings of \$1.5 million in year 1, with a \$1 million net over five years. A recommendation to reopen the enrollment window and extend the deadline to December 4 was also made.

On the motion of Member Kuwabara, seconded by Member Wallin and carried 4-1 (Member McInerney voting "No"), the Board authorized Irvine Unified School District to enter into an agreement with Public Agency Retirement Services (PARS) to offer a Supplementary Retirement Plan for eligible Certificated Non-Management employees for the 2009-10 school year.

RESOLUTION NO. 09-10-34: Approval of Solar Power Services and Site Lease Agreement Between District and Sun Edison for Construction, Installation, Maintenance and Operation of Solar Photovoltaic Systems on Selected School Sites

Following a biographical introduction of SunEdison and SPG Solar, Curriculum Coordinator Mark Sontag reviewed the key points of an agreement to establish energy-generating solar power systems at 21 sites district-wide. The project is reported to be the largest solar deployment for a public school system in California. There are no up-front costs for the District and projected savings are approximately \$17 million over 20 years.

SunEdison Regional Sales Manager Sam Youneszadeh was introduced and responded to questions from the Board.

On the motion of Member Parham, seconded by Member McInerney and carried 5-0 (Student Members voting "Yes"), the Board adopted Resolution 09-10-34 authorizing the District to enter into the Solar Power Services & Site Lease Agreement between District and SunEdison ("Agreement"), subject to adoption of formal findings required by Government Code section 4217.10. Under the Agreement, the District will lease a portion of its property on selected sites to SunEdison, which will, at its own cost, construct, install, operate and maintain solar photovoltaic

systems. The District will purchase solar services generated by the systems at a set price comparable to or below current retail rates to supplement its energy needs.

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

Adoption of 2009 English-Language Arts Houghton Mifflin Medallion Series

Assistant Superintendent Cassie Parham reviewed the rationale for the recommendation to adopt the Houghton Mifflin Medallion series for English-Language Arts, advising that ongoing costs of consumables under the previous adoption were greater than the overall costs of the new series because it includes free consumables for life.

English-Language Arts Coordinator Jeanie Fritzsche responded to questions from the Board and reported that efforts are underway to establish a uniform Language Arts program that is tied to state, not national, standards.

On the motion of Member Kuwabara, seconded by Member McInerney and carried 5-0, the Board approved adoption of the of 2009 English-Language Arts Adoption K-8.

First Interim Report of 2009-10 (AB 1200, Chapter 1213, Statutes of 1991)

Assistant Superintendent Lisa Howell presented the First Interim Report, including financial reporting timelines and budget assumptions/projections. She advised that for the first time in the District's history, the District would need to file a "qualified" report, indicating it may not be able to meet its financial obligations for the current and next two subsequent years without corrective action. The impacts of deteriorating state revenues, previous budget reductions, property tax fluctuations, and use of one-time funds were also discussed.

The Board discussed the need for a public forum to gather input relative to further budget reductions and their resolve to make the cuts necessary to close the gap.

On the motion of Member McInerney, seconded by Member Kuwabara and carried 5-0, the Board certified the First Interim Report of 2009-10 as "Qualified" based on information presented.

RESOLUTION NO. 09-10-35: To Establish Temporary Interfund Transfers of Special or Restricted Fund Monies

On the motion of Member McInerney, seconded by Member Kuwabara and carried 5-0, the Board adopted Resolution 09-10-35 to Establish Temporary Interfund Transfers of Special or Restricted Fund Monies.

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

Oral Communication

None

Adjournment

On the motion of Member Parham, seconded by Member McInerney and carried 5-0, there being no further Board of Education business, the meeting was adjourned at 10:05 p.m.

Gavin Huntley-Fenner, Ph.D.
Board President

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

TOPIC

PAYMENT FOR NONPUBLIC SCHOOL / AGENCY SERVICES FOR SPECIAL EDUCATION STUDENTS

BACKGROUND

The district continues to experience increased demand for non-public schools and agencies (NPS/NPA) services. Provision of service is mandated by law under the Individuals with Disabilities Education Act (IDEA) for one or more of the following reasons:

- Student is placed in one of the district's less restrictive programs (RSP, SDC, Speech & Language) which has been found to be inappropriate or insufficiently intensive to meet their Individual Educational Program (IEP) goals either through an IEP meeting, mediation, or due process hearing. Changes in placements may also be recommended at a disciplinary or expulsion hearing. However, the change of placement must occur through the IEP process.
- Student was placed in a NPS or NPA program by another school district prior to the student's Irvine residency.
- Infant or preschool student's services become the responsibility of the Local Education Agency (IUSD) as per mandated timeline. District must maintain NPS/NPA services unless the parent and IEP Team agree to accept district's offer of placement and/or services.
- District is unable to provide the type or amount of service required in the student's IEP due to lack of staff with appropriate qualifications or level of expertise.
- Emotionally disturbed students, who are in danger of harming themselves or others and have not been successful in less restrictive placements, may be assessed and placed in residential NPS schools in California or out-of-state placements. By law, the district must convene an expanded IEP Team meeting including Orange County Mental Health.

DESCRIPTION

At its meeting on November 15, 1978, the Board approved a general agreement for special education services with non-public, non-sectarian school agencies. In addition to the general agreement, individual service agreements for each identified special education student are negotiated annually. Many of the NPS/NPA providers work cooperatively with the district to provide services unattainable within the district or other local public schools.

Prior to the implementation of AB 602 during the 1998-99 school year, a contract for these services with a State Certified Non-public School or Agency allowed the district to recover more than 50% of its initial contract cost through a separate funding provision.

Under AB 602, no additional reimbursement outside the district's special education entitlement is legislated.

It should be noted that the district's special education revenue received from the state is not impacted in any way as a result of the placement of students in non-public schools and non-public agencies. IUSD has a responsibility not only to provide, but to fund out of General Fund dollars, educational programs for these NPS/NPA students for which the state does not provide additional funding.

In 1975, Congress promised to pay 40% of the additional cost of educating students with disabilities. This amount is referred to as full funding. However, under current proposed Congressional appropriations for fiscal year 2004, that amount is only 18.6% and \$11.1 billion for fiscal year 2005 is 19.7%. The district and the Board of Education have been included in all legislative action efforts supporting the mandatory full funding of IDEA.

LEGAL IMPACT

The services and programs for which the district is contracting have been determined by the student's IEP Team, which includes teachers, administrators, and parents. A student's IEP is a legally binding document. To deny these services and programs would place the district out of compliance with federal and state mandates. This would create an untenable position and serious legal exposure for the district from students whose legally guaranteed needs were not being addressed.

FISCAL IMPACT

\$122,585.25 for the 2009-2010 school year in special education related services. These charges are examples of mandated federal services that are not fully funded by either the state or federal governments.

RECOMMENDATION

Approve the individual pupil service contract(s) for disabled student(s) negotiated between the Irvine Unified School District and State Certified Nonpublic Schools/Agencies.

TOPIC

CONTRACT FOR SPECIAL EDUCATION RELATED SERVICES

DESCRIPTION

On occasion, it is appropriate for the District to enter into a contract arrangement with parents of students with special education needs.

A small percentage of more severely involved special education students have very unique needs that cannot be met entirely by special education employees of IUSD who normally support our school-based programs. It is frequently financially advantageous to the district to have the flexibility to provide these specialized services without the usual employment restrictions associated with education code procedures.

All services are provided as required by federal and state mandates or the IEP.

FISCAL IMPACT

\$11,920.00 special education related services

RECOMMENDATION

Authorize payment for special education related services in an amount not to exceed \$11,920.00.

TOPIC	PAYMENT IN ACCORDANCE WITH THE TERMS OF THE SETTLEMENT AGREEMENT(S)
DESCRIPTION	Pursuant to the Settlement Agreement(s), the negotiated agreement(s) has/have been reached.
FISCAL IMPACT	\$75,000.00 special education related services
RECOMMENDATION	Authorize payment in an amount not to exceed \$75,000.00 in accordance with the terms of the Settlement Agreement(s).

TOPIC

REQUEST TO WAIVE THE CALIFORNIA HIGH SCHOOL EXIT EXAM AS A REQUIREMENT FOR GRADUATION FOR STUDENTS RECEIVING SPECIAL EDUCATION SERVICES

DESCRIPTION

The Board may waive the requirement to successfully pass one or both subject matter parts of the California High School Exit Examination (CAHSEE) for a student with a disability, if the principal certifies to the Board that the student has met all of the following:

- An Individualized Education Program (IEP) or Section 504 Plan in place that requires accommodations or modifications to be provided to the pupil when taking CAHSEE
- Sufficient high school level coursework, either satisfactorily completed or in progress, in a high school level curriculum sufficient to have attained the skills and knowledge otherwise needed to pass the CAHSEE
- An individual score report showing that the student has received the equivalent of a passing score on the CAHSEE while using a modification that fundamentally alters what the CAHSEE measures, as determined by the State Board of Education

The following 17 students (identified by student number) have met all of the requirements for a waiver:

973828	991030	191083919
975365	160010083	612050131
508050032	991009	150990224
112010059	957686	957485
777000265	983323	191062084
150020029	191060289	

FISCAL IMPACT

None

RECOMMENDATION

Approve request to waive the requirement to pass the California High School Exit Examination as a condition of receiving a diploma of graduation for identified students.

TOPIC

SUBMISSION OF THE 2009-2010 CONSOLIDATED APPLICATION, PART II

DESCRIPTION

The Consolidated Application is used by the California Department of Education (CDE) to distribute categorical funds from various state and federal categorical programs to school districts. Annually, in June, each local educational agency (LEA) submits Part I of the application to document participation in these programs and provide assurances that the district will comply with the legal requirements of each program. Part II of the application is submitted the following January and contains the district entitlements for each program.

The categorical programs for 2009-10 and the amount of funding authorized are outlined in the attached table. **The 2009-10 Consolidated Application requests a total of \$4,032,744.** These funds cannot be used for any other purpose than those purposes set forth in each categorical program's regulations.

State funds included in the Consolidated Application are Economic Impact Aid (EIA). The state categorical funds that were included in the Tier 3 flexibility provisions are no longer included in the Consolidated Application. ESEA No Child Left Behind federal funds include Title I-Part A, Title II-Part A (Teacher Quality/Class Size Reduction), Title III (English Learner and Immigrant), and Title IV (Safe & Drug Free Communities).

Title I earmarks funds for eligible schools only. For 2009-10, the 15 eligible schools are Brywood, College Park, Culverdale, Deerfield, Eastshore, Greentree, Meadow Park, Northwood, Springbrook, Stone Creek, Turtle Rock, University Park, Woodbury, South Lake Middle School, and Venado Middle School.

FISCAL IMPACT

\$4,032,744 Restricted State and Federal Programs funds to the Irvine Unified School District.

RECOMMENDATION

Approve the submission of the District's Consolidated Application, Part II for 2009-10 to the California Department of Education.

IUSD/Parham/ Holmes
Board Agenda
February 2, 2010

Attachment

**STATE AND FEDERAL PROGRAMS FUNDED THROUGH THE
2009-10 CONSOLIDATED APPLICATION**

PROGRAM	PROGRAM FOCUS	NUMBER OF SCHOOLS	2009-10 FUNDING
Economic Impact Aid (EIA)	Limited English Proficient Program (LEP)	33	\$ 1,564,760
<i>ESEA (NCLB Act) Title I, Part A</i>	<i>Educationally Disadvantaged Students</i>	15	<i>\$1,374,411</i>
<i>ESEA (NCLB Act) Title II – Part A</i>	<i>Teacher Quality-CSR or Training</i>	33	<i>\$ 516,428</i>
<i>ESEA (NCLB Act) Title III</i>	<i>English Learner</i>	33	<i>\$ 517,050</i>
<i>ESEA (NCLB Act) Title IV</i>	<i>Safe, Drug-Free Schools</i>	33	<i>\$ 60,095</i>
TOTAL	All Programs	All IUSD Schools	\$ 4,032,744

State Categorical Programs
Federal Categorical Programs

TOPIC	BUDGET DEVELOPMENT CALENDAR FOR FISCAL YEAR 2010-2011
DESCRIPTION	School districts are required to prepare a Budget Development Calendar annually. The Budget Calendar is created to provide advance notice to the public of important dates related to the development of and financial reporting on the annual District Budget. Accordingly, the attached Budget Development Calendar for Fiscal Year 2010-11 is presented for the Board's approval.
FISCAL IMPACT	None
RECOMMENDATION	Approve the IUSD Budget Development Calendar for Fiscal Year 2010-2011.

IUSD/Howell
Board Agenda
February 2, 2010

Attachment

Irvine Unified School District
Budget Calendar
2010-2011

Fiscal Deadline	Meeting / Event	Activity / Task
January 12	Regular Board Meeting	
January 13	Attend Governor's Budget Conference	Governor's Proposed Budget
January 14	Leadership Team Meeting	Report on Governor's Budget
January 19	Budget Study Session	
January 25	Finance Committee Meeting	
January 26	Community Forum	Budget Reduction Discussion
February 2	Regular Board Meeting	Budget Reduction List – Staff Recommendations Adopt Budget Calendar
February 9	Budget Study Session	
February 12	Budget Roundtable Meeting	
February 16	Regular Board Meeting	Budget Reduction List-Board Prioritization
February 22	<i>Prop 58 Fiscal Emergency – Legislative Deadline</i>	<i>Legislature required to act by 2/22 or cannot adjourn or act on other bills.</i>
February 22	Finance Committee Meeting	
March 2	Regular Board Meeting	Approve Budget Reduction List Employee Notification – layoff
March 15	Leadership Team Meeting	
March 16	Regular Board Meeting	2 nd Interim Report
March 29	Finance Committee Meeting	
April 26	Finance Committee Meeting	
May 10	Leadership Team Meeting	
May 21	Budget Roundtable	May Revise/Preliminary 2010-2011 Budget
May 24	Finance Committee Meeting	May Revise/Preliminary 2010-2011 Budget
June 14	Finance Committee Meeting	
June 29	Regular Board Meeting	Budget Adoption
September 27	Finance Committee Meeting	Review Unaudited Actuals
October 25	Finance Committee Meeting	
December 7	Organizational/Regular Board Meeting	1st Interim Report

* Budget Study Sessions will be convened, if needed, on the following dates: Tues., 3/9; Tues., 4/20; Tues., 5/11.

TOPIC

PURCHASE ORDER DETAIL REPORT

DESCRIPTION

The purchase orders listed on the Purchase Order Detail Report are processed in compliance with the applicable purchasing procedures and administrative regulations of the Irvine Unified School District. Copies of full reports are on file in the Business Office and available upon request. A purchase order cannot be initiated unless the funds necessary have been previously approved in the school or program budget by the Board of Education. Each purchase order has been approved in the form of a requisition by the school administrator or manager responsible for the respective site or program. After initial approval at the local level, each requisition is reviewed and, if appropriate, authorized for processing in the form of a purchase order by staff of the Business Department.

FISCAL IMPACT

All expenditures have been made within the authorized budget.

RECOMMENDATION

Approve the Purchase Order Detail Report dated January 21, 2010.

TOPIC

CHECK REGISTER REPORT

DESCRIPTION

Commercial Check Registers have been presented to the Board of Education listing checks which have been issued in accordance with the established purchasing procedure and administrative regulations of the Irvine Unified School District.

These checks represent previously approved purchase orders and contracts and are presented to the Board of Education for ratification in accordance with the applicable provisions of the Education and Government Code Statutes of the State of California. Copies of full reports are available for review in the Office of the Superintendent upon request.

RECOMMENDATION

Ratify issuance of check numbers as listed, representing Board authorized purchase orders, invoices and contracts:

District 75, Irvine Unified School District —
Numbers **00139155** through **00140339**

District 50, CFD No. 01-1 –
Numbers **00001429** through **00001434**

District 44, CFD No. 86-1 —
Numbers **00004059** through **00004072**

District 41, Irvine Child Care Project –
Numbers **00002403** through **00002416**

Revolving Cash —
Numbers **32454** through **32603**

TOPIC

CONTRACT SERVICES ACTION REPORT 2009-10/10

DESCRIPTION

AUSTIN G. BUFFUM dba BUFFUM CONSULTING GROUP

Consultant to provide Professional Learning Communities (PLC) training for Special Education staff.

October 22, 2009 – June 30, 2010

0101834220-5811

Bevernick/Special Education Services

Fee not to exceed \$1,500.00

Restricted General Fund (Categorical)

BERGMAN & DACEY, INC.

Consultant to provide professional legal counsel related to construction matters under contract with IUSD.

July 1, 2009 – June 30, 2010

0100564481-5849

Linton/Construction and Facilities

Fee not to exceed \$50,000.00

Fee not to exceed \$75,000.00

Community Facilities District (Ledger 44)

DESMOND, TRACY

Consultant to provide Independent Educational Evaluation for special needs student at ECLC.

January 13, 2010 – June 30, 2010

0101855710-5811

Bevernick/Special Education Services

Fee not to exceed \$760.00

Restricted General Fund (Categorical)

DOLINKA GROUP, LLP

Consultant to provide Fiscal Year 2010/11 Engineer's Report and Administration for Recreation Improvement Maintenance District (RIMD) of the Irvine Unified School District.

March 1, 2010 – February 28, 2011

0100503772-5811

Howell/Business Services

Fee not to exceed \$150,000.00

Fee Negotiated to \$135,000.00

Restricted/RIMD Funds

HATCHING RESULTS, LLC

Consultant to provide one day training and materials to assist IUSD with alignment of counseling program to ACSA Model and provide direction that will bring district into compliance with the requirements of AB1802 supplemental counseling program.

March 12, 2010

0100949230-5811

Parham/Education Services

Fee not to exceed \$4,000.00

Unrestricted Tier III Funds

HUNTER, NATHAN, Ph.D.,

Consultant to provide special education evaluations and assessments. (Originally approved June 23, 2009.)

July 1, 2009 – June 30, 2010

0101755710-5811

Bevernick/Special Education Services

Fee not to exceed \$10,000.00

Fee not to exceed \$16,000.00

Restricted General Fund (Categorical)

MORRIS, RICK

Consultant to provide interactive staff development for Greentree and Stonegate Elementary Schools to assist teachers in continuous improvement efforts toward the California Standards for the Teaching Profession.

February 17, 2010

0113620610-5810 (GT)

0115441410-5810 (SG)

Brown/Greentree

Fee not to exceed \$1,700.00

Restricted General Fund (Categorical)

MUSIC THERAPY SERVICES OF ORANGE COUNTY

Consultant to provide music therapy services for a special education student.

July 1, 2009 – June 30, 2010

0101755710-5811

Bevernick/Special Education Services

Fee not to exceed \$7,300.00

Restricted General Fund (Categorical)

FISCAL IMPACT

Restricted General Fund..... not to exceed \$17,260.00
Restricted/RIMD Monies not to exceed \$135,000.00
Unrestricted Tier III Fund not to exceed \$4,000.00
Community Facilities District..... not to exceed \$75,000.00

RECOMMENDATION

Approve and/or ratify the Contract Services Action Report 2009-10/10, as submitted.

TOPIC

RESCIND AWARDS OF JUNE 2, 2009 AND AUTHORIZE AWARD OF CONTRACTS FOR THE PURCHASE OF SCHOOL AND OFFICE FURNITURE FOR VARIOUS SITES PER THE IUSD'S SCHOOL AND OFFICE FURNITURE BID #08-09-01

DESCRIPTION

On June 2, 2009, the Board of Education authorized the Assistant Superintendent/CFO of Business Services to award contracts for the purchase of school and office furniture for various sites renewable up to 5 (five) years, with a piggyback clause, to vendors Corporate Business Furniture (CBF), McMahan Business Interiors and Virco, Inc.

After careful review numerous deviations in the award notifications from the actual bid documents were discovered. Additionally, the five year piggyback clause included in the bids cannot be supported by our district as we do not operate a purchasing department capable of processing the requests that are made by other districts to use the piggyback feature.

After consultation with County of Orange legal counsel, the appropriate course of action is to rescind all previous awards and request the Board authorize awards based on the actual bid amounts for all items in the bid, including any "or equal" items, with no alternates, and to reject the piggyback clause contained in the documents.

The following list contains the name of the low bidders, the description and the bid amount for the items listed, as well as any applicable catalog discounts from manufacturers as set forth in the bid documents:

<u>CBF</u>	<u>McMahan</u>	<u>Virco</u>
Item Numbers:	Items Numbers:	Items Numbers:
#1-Teacher Desk \$299.00	#9-Library Table \$711.33	#14-Folding Chair \$21.04
#2-Teacher Desk \$424.00	#12-Bookcase \$1,224.98	#16-Folding Chair Storage \$388.67
#4-Teacher Chair \$144.00	#13-Bookcase \$2,516.25	#17-Folding Table \$260.78
#5-Conf Table \$899.00	#20-Stand up Lectern \$2,338.75	#18-Folding Table Dolly \$273.80
#6-Conf Rm Chair \$239.00	#29-Lat File Top \$45.85	

<u>CBF</u>	<u>McMahan</u>	<u>Virco</u>
#7-Credenza \$479.00	#31-Library Table \$711.33	#19-Folding Chair w/padded seat \$23.38
#8-Exe Marker Board \$429.00	#32-Book Truck \$889.38	#44-Lunch Room Chairs \$67.45
#11-Library Chair \$98.00	#34-Mobile Marker Board \$678.91	
#21-Storage Cabinet \$448.00	#35-Computer Table \$294.02	
#22-Bookcase Unit \$357.00	#41-Bullet Board \$141.44	
#23-Bookcase Unit \$338.00	#42-Lunch Rm Table \$233.44	
#24-Lat File Cabinet \$297.00	#43-Lunch Rm Table \$233.44	
#25-Guest Side Chair \$217.00	#45-Refer Side Table \$235.67	
#26-Nurse's Desk \$346.00	#47-Lunch Rm Table \$634.84	
#28-Lat File Cabinet \$314.00	#48-Umbrellas \$215.94	
#30-Desk \$358.00	#50-Lunch Rm Table \$634.84	
#33-Bookcase \$119.00	#52-Mobile Paper Storage Cabinet \$736.48	
#36-Guest Chair \$136.00	#53-Science Table \$301.43	
#37-Bookcase \$117.00	#54-Science Table \$310.43	
#38-Vertical File \$208.00	#55-Outdoor Table \$634.84	
#39-Vertical File \$177.00	#56-Outdoor Table \$580.56	
#40-Storage Cabinet \$366.00	#57-Umbrellas \$215.94	
#46-Sofa (staff) \$698.00	#58-Outdoor Table \$634.84	
#51-Bookcase Unit \$241.00	#60-Table \$112.71	
#59-Guest Side Chair \$254.00	#62-Conf Table \$191.00	
#61-Guest Side Chair \$236.00	#63-Mobile Storage Cabinet \$691.55	
#65-Task Chair \$194.00	#64-Teacher's Stand \$154.58	
#66-Desk \$291.00		

<u>CBF</u>	<u>McMahan</u>	<u>Virco</u>
#67-Task Chair \$237.00	#73-Comp Table \$306.67	
#68-Task Chair \$237.00	#74-Mobile Pedestal Box/Box/File Combo \$321.01	
#69-Task Chair \$237.00	#75-Computer Table \$278.77	
#70-Task Stool \$148.00	#76-Computer Table \$273.40	
#71-Conf Chair \$238.00	#77-Computer Table \$256.50	
#72-Lounge Chair \$467.00	#78-Computer Table \$294.02	
#82-Exe Desk \$3,188.00	#79-Computer Table \$398.37	
#83-Modular Panel Systems 54.5% off list price	#80-Table \$288.99 #81-Table \$258.20	
CATALOG DISCOUNTS	CATALOG DISCOUNTS	CATALOG DISCOUNTS
9-5 Seating 55%	Bretford 45%	None
Boss Office 50%	Dick Graybeal 45%	
Cherry Man 55%	DWI Enterprises 45%	
Desk Makers 52%	ECD 58.5%	
DMI 53%	McDowell Craig 53%	
Eurotech 47%	SCM 10%	
Global Indust 50%	Sisneros Office 50%	
Hon 50%	Virco, Inc. 56%	
Human Scale 45%	Carters Metal	
Maverick Desk 55%	Fabricators, Inc. 48%	
Maxon, Inc. 54.5%	Faustinos 56.5%	
OFS 48%	LA-Z-Boy 53%	
Salmon 48%		

FISCAL IMPACT

General Fund, State School Building and CFD Fund-Expenditures are undetermined at this time. School sites and programs make purchases within budget allocation amounts. Savings is anticipated due to reduced pricing of bid.

RECOMMENDATION

Rescind the award of contracts approved on June 2, 2009 and reject the piggy-back feature contained in the bid documents. Additionally, authorize the Assistant Superintendent/CFO of Business Services to award contracts for the purchase of school and office furniture items as listed for various sites renewable for up to 5 (five) years to the following vendors pursuant to Bid No. 08-09-01: Corporate Business Furniture (CBF), McMahan Business Interiors and Virco, Inc.

TOPIC CLASSIFIED PERSONNEL ACTION REPORT 2009-10/10

RECOMMENDED FOR EMPLOYMENT	<u>Name</u>	<u>Assign/Location</u>	<u>Effective Date</u>
	HOURLY		
	Adams, Roseann	Inst. Asst./Canyon View	1/21/10
	Berg, Laurie	Inst. Asst./Greentree	1/9/10
	Curl, Sharon	Inst. Asst./Turtle Rock	1/5/10
	Duncan, Kathi	Inst. Asst. Sp. Ed./Lakeside	1/13/10
	Flagg, Christina	Inst. Asst./Canyon View	1/11/10
	Green, Kathryn	Inst. Asst. Sp. Ed./ECLC Preschool	1/11/10
	Hua, Ya	Nutrition Asst . I/Nutrition Services	1/4/10
	Nassif, Marie-Rose	Inst. Asst. Sp. Ed./Stonegate	1/4/10
	Simmons, Tara	Inst. Asst. Sp. Ed./ECLC Preschool	1/12/10
	Terence, Katrina	Media Tech I/Vista Verde	1/22/10
	Whitsell, Ethan	Inst. Asst./Northwood	1/4/10
	Willis, Sam	Campus Safety Assistant	1/22/10
	SUBSTITUTES		
	Segura, Moises	Nutrition Asst./Nutrition Services	1/7/10
RETIREMENT	Gibbons, Jean	Adm. Secretary/Maintenance	3/2/10
	Swanson, Sheri	Adm. Secretary/Fine Arts	1/22/10

RECOMMENDATION Approve and/or ratify the Classified Personnel Action Report 2009-10/10 as submitted for Employment and Retirement.

TOPIC

GIFTS

DESCRIPTION

The sites listed have been offered the following gifts:

Venado Middle School

Donation: \$1,000.00

Donor: Wachovia Wells Fargo Foundation

University High School

Donation: \$1,168.00

Donor: Michael Brown

Stone Creek Elementary School

Donation: \$1,000.00

Donor: Wachovia Wells Fargo Foundation

RECOMMENDATION

Accept the gifts to the District, as listed.

TOPIC

FIELD TRIPS AND EXCURSIONS

DESCRIPTION

District policy states that field trips or excursions to destinations outside the State of California, requiring solicitation of funds in excess of \$1,500, or requiring teacher release from regular duties shall receive Board approval prior to planning the field trip or excursion.

District policy further states that no expenses of pupils participating in a field trip or excursion shall be paid with school district funds, unless the field trip is required as part of an approved program. If an individual cannot raise the funds, a scholarship or other form of financial support shall be provided. The source of this financial support shall not be from any IUSD account.

Applications for the following field trips were received for approval. These trips fall within District overnight field trip restrictions. District liability will apply.

Sponsoring School: Irvine High School
 Excursion: California Indoor State Meet
 Destination: Fresno, California
 Dates: February 5-7, 2010
 Participants: 3 students / 1 adult
 Cost: \$600.00

Sponsoring School: Woodbridge High School
 Excursion: Community Arts Showcase
 Destination: Anaheim, California
 Dates: ~~January 19, 2010~~
 February 10, 2010
 Participants: ~~53~~ 49 students / 5 adults
 Cost: \$560.00

Sponsoring School: University High School
 Excursion: Winter Congress
 Destination: Long Beach, California
 Dates: February 13-14, 2010
 Participants: 35 students / 3 adults
 Cost: \$3,500.00

Sponsoring School: Woodbridge High School
 Excursion: Physics Fun Day
 Destination: Buena Park, California
 Dates: March 4, 2010

Participants: 80 students / 3 adults
Cost: \$3,200.00

Sponsoring School: Northwood High School
Excursion: UC Berkeley MUN Conference
Destination: Berkeley, California
Dates: March 5-7, 2010
Participants: 30 students / 3 adults
Cost: \$9,000.00

Sponsoring School: Oak Creek
Excursion: Riley's Farm
Destination: Oak Glen, California
Dates: March 25, 2010
Participants: 92 students / 6 adults
Cost: \$3,220.00

Sponsoring School: Irvine Home School
Excursion: Rawhide Ranch
Destination: Bonsall, California
Dates: April 14-16, 2010
Participants: 20 students / 3 adults
Cost: \$3,700.00

Sponsoring School: Turtle Rock
Excursion: California, Here I Come!
Destination: Anaheim, California
Dates: June 10, 2010
Participants: 124 students / 17 adults
Cost: \$5,084.00

RECOMMENDATION

Approve the following field trips funded by donations:

- 1) Irvine High School boys track and field to Fresno, California, on February 5-7, 2010 for \$600.00;
- 2) Woodbridge High School Entertainers/Encore students to Anaheim, California, on ~~January 19, 2010~~ February 10, 2010 for \$560.00;
- 3) University High School Junior State of America students to Long Beach, California, on February 13-14, 2010 for \$3,500.00;
- 4) Woodbridge High School physics, anatomy and physiology students to Buena Park, California, on March 4, 2010 for \$3,200.00;
- 5) Northwood High School Model United Nations students to Berkeley, California, on March 5-7, 2010 for \$9,000.00;

Item No. 13 n.

- 6) Oak Creek 5th grade students to Oak Glen, California, on March 25, 2010 for \$3,220.00;
- 7) Irvine Home School 4th – 8th grade students to Bonsall, California, on April 14-16, 2010 for \$3,700.00;
- 8) Turtle Rock 4th grade students to Anaheim, California, on June 10, 2010 for \$5,084.00.

TOPIC

**CHANGE ORDER
STONE CREEK ELEMENTARY SCHOOL MODERNIZATION
PROJECT**

DESCRIPTION

Certain modifications were required during the construction phase of the Stone Creek Elementary School Modernization project, which requires a change order. A list of each item, the requesting party, a brief explanation of the reason for the change and the cost of the change is available in the Facilities office upon request.

The following list contains the bid category, contractor, change order amount, and cumulative percentage of the applicable contract. The cumulative total of all change orders for this contractor is within the 10% allowed by the Public Contract Code.

<u>Bid Category</u>	<u>Contractor</u>	<u>This Change Order</u>	<u>Cumulative % All C/O's</u>
10-1 Misc. Specialties & Toilet Acces.	Robert L. Reeves Construction Co.	C/O # 2 <\$4,042.00>	<11.18%>

FISCAL IMPACT

<\$4,042.00>

CFD No. 86-1/County School
Facilities Fund

RECOMMENDATION

Approve the listed change order in the deductive amount of <\$4,042.00>, at the Stone Creek Elementary School Modernization project. No change to the completion date.

TOPIC

**CHANGE ORDERS
LAKESIDE MIDDLE SCHOOL MODERNIZATION PROJECT**

DESCRIPTION

Certain modifications were required during the construction phase of the Lakeside Middle School Modernization project, which require a change order. A list of each item, the requesting party, a brief explanation of the reason for the change and the cost of the change is available in the Facilities office upon request.

The following list contains the bid category, contractor, change order amount, and cumulative percentage of contract. The cumulative total of the change orders to any of the contractors listed below is within the 10% allowed by the Public Contract Code.

<u>Bid Category</u>	<u>Contractor</u>	<u>This Change Order</u>	<u>Cumulative % All C/O's</u>
08-1 Doors, Frames, Hardware & Glazing	Whitehead Construction, Inc.	C/O #1 \$6,446.00	2.30%
09-2 Ceramic Tile	Premier Tile & Marble Co.	C/O #2 \$1,512.00	3.86%
10-1 Misc. Specialties, Toilet Accessories	Inland Empire Architectural Specialties	C/O #2 \$4,066.00	4.56%
15-2 Plumbing	Interpipe Contracting, Inc.	C/O #2 \$4,885.00	2.51%
16-1 Electrical	Tri-Power Electric, Inc.	C/O #2 \$21,674.00	6.23%

FISCAL IMPACT

\$38,583.00

CFD No. 86-1/County School
Facilities Fund

RECOMMENDATION

Approve the listed change orders in the cumulative amount of \$38,583.00, at the Lakeside Middle School Modernization project. No change to the completion date.

IUSD/Howell/Linton
Board Agenda
February 2, 2010

TOPIC

**CHANGE ORDERS
WOODBIDGE HIGH SCHOOL MODERNIZATION PROJECT**

DESCRIPTION

Certain modifications were required during the construction phase of the Woodbridge High School Modernization project, which require a change order. A list of each item, the requesting party, a brief explanation of the reason for the change and the cost of the change is available in the Facilities office upon request.

The following list contains the bid category, contractor, change order amount, and cumulative percentage of contract. The cumulative total of the change orders to any of the contractors listed below is within the 10% allowed by the Public Contract Code.

<u>Bid Category</u>	<u>Contractor</u>	<u>This Change Order</u>	<u>Cumulative % All C/O's</u>
06-1 Rough Carpentry, Structural Steel & Misc. Metals	Four Point Builders, Inc.	C/O #6 \$5,213.00	2.10%
09-3 Floor Covering	Continental Flooring, Inc.	C/O #2 \$855.00	<0.99%>
16-1 Electrical	Gilbert & Stearns, Inc.	C/O #3 \$3,612.00	2.18%

FISCAL IMPACT

\$9,680.00

CFD No. 86-1/County School
Facilities Fund

RECOMMENDATION

Approve the listed change orders in the cumulative amount of \$9,680.00, at the Woodbridge High School Modernization project. No change to the completion date.

TOPIC

**NOTICE OF COMPLETION
STONE CREEK ELEMENTARY SCHOOL
MODERNIZATION PROJECT**

DESCRIPTION

The following list contains the bid category, contractor, and the date the Board of Education approved the contract for the Stone Creek Elementary School Modernization project.

<u>Bid Category</u>	<u>Contractor</u>	<u>Board Approval Date</u>
10-1 Misc. Specialties & Toilet Acces.	Robert L. Reeves Construction Co.	May 19, 2009

The project is substantially complete, and this contract is ready for acceptance by the Board of Education.

At this time, staff requests the Board accept the project as complete and authorize staff to file a Notice of Completion for the contractor listed, with the County of Orange Recorder's Office.

FISCAL IMPACT

None

RECOMMENDATION

Accept the contract of the listed contractor for the Stone Creek Elementary School Modernization project as complete and authorize staff to file a Notice of Completion with the County of Orange Recorder's Office.

TOPIC

**NOTICE OF COMPLETION
WOODBIDGE HIGH SCHOOL INTERIM HOUSING
PROJECT**

DESCRIPTION

The following list contains the contractor and the date the Board of Education approved the contract for the Woodbridge High School Interim Housing project.

<u>Contractor</u>	<u>Board Approval Date</u>
Construct 1 One Corp.	February 17, 2009

The project is substantially complete, and this contract is ready for acceptance by the Board of Education.

At this time, staff requests the Board accept the project as complete and authorize staff to file a Notice of Completion for the contractor listed, with the County of Orange Recorder's Office.

FISCAL IMPACT

None

RECOMMENDATION

Accept the contract of the listed contractor for the Woodbridge High School Interim Housing project as complete and authorize staff to file a Notice of Completion with the County of Orange Recorder's Office.

TOPIC

**NOTICE OF COMPLETION
REPLACEMENT OF ONE (1) EXISTING SHADE
STRUCTURE AND RELOCATION OF ONE (1)
RELOCATABLE CLASSROOM AT
EASTSHORE ELEMENTARY SCHOOL**

DESCRIPTION

The removal and replacement of one (1) 30' x 40' x 10' (height) shade structure and the relocation of one (1) 48' x 40' relocatable classroom was done as required by the Division of the State Architect, (DSA) as the final phase of the modernization project at Eastshore Elementary School.

The project is complete and ready for acceptance by the Board of Education.

Staff requests the Board accept the project as complete, and authorize staff to file a Notice of Completion with the County of Orange Recorder's Office.

FISCAL IMPACT

None

RECOMMENDATION

Authorize the Assistant Superintendent/CFO of Business Services to accept the one (1) 30' x 40' x 10' (height) shade structure and the relocation of one (1) 48' x 40' relocatable classroom at Eastshore Elementary School as complete, and authorize staff to file a Notice of Completion with the County of Orange Recorder's Office.

TOPIC

**AUTHORIZATION TO RENEW LEASE OF TWO (2)
RELOCATABLE CLASSROOMS AT ALDERWOOD
BASICS PLUS ELEMENTARY SCHOOL**

DESCRIPTION

On March 17, 2009, the IUSD Board of Education authorized staff to enter into a contract to lease two (2) 24' x 40' DSA approved relocatable classrooms to house additional students due to increased enrollment.

Based on current enrollment at Alderwood Basics Plus Elementary School a need to retain the two (2) relocatables still exists.

The lease for these relocatable classrooms is on a year to year basis with the previous Board of Education authorized funding now fully expended. The cost to renew the lease for another year will be \$12,024.00.

FISCAL IMPACT

\$12,024.00

CFD No. 01-1

RECOMMENDATION

Acting as the governing body of Community Facilities District No. 01-1, authorize the Assistant Superintendent/CFO of Business Services to enter into a contract with Mobile Modular Management Corporation to renew the lease for two (2) 24' x 40' DSA approved relocatable classrooms at Alderwood Basics Plus Elementary School.

TOPIC	COMMUNITY FACILITIES DISTRICT NO. 09-1 SPECIAL TAX NOTES
DESCRIPTION	Resolution 09-10-39 approved by the Board of Education on December 8, 2009 named Merrill Lynch as the purchaser of the Special Tax Notes. Prior to closing, information was received that the district's interests would be better served with a different purchaser. The new purchaser of the Special Tax Notes is the Irvine Company.
FISCAL IMPACT	None
RECOMMENDATION	For the Board's Information

TOPIC

STATE OF THE BUDGET - UPDATE

DESCRIPTION

The 2010-11 Budget projects a shortfall in excess of \$22 million as reported on January 19, 2010 during the Budget Study Session. Staff continues to receive information and update projections so that timely decisions can be made.

Kevin Gordon of School Innovations and Advocacy provided a budget update to the Orange County CBO's on Wednesday, January 27, 2010 that predicts additional cuts to education.

FISCAL IMPACT

None

RECOMMENDATION

For the Board's information.

Irvine Unified School District
 2010-11 Projected Budget Shortfall
 As of January 28, 2010

	2009-10	2010-11	2011-12
1st Interim Report - projected shortfall	\$ -	\$ (14,732,333)	\$ (37,270,683)
<i><u>Governor's Proposed Reductions:</u></i>			
Revenue Limit COLA		\$ (632,253)	\$ 3,087,044
Administrative Cuts (\$201 per ADA)		\$ (5,345,366)	\$ (5,395,616)
Additional Reduction (\$50 per ADA)		\$ (1,317,193)	\$ (1,342,193)
ARRA Stabilization Funds	\$ (762,991)	\$ -	\$ -
Tier III COLA	<u>\$ -</u>	<u>\$ (55,295)</u>	<u>\$ 261,928</u>
Subtotal	\$ (762,991)	\$ (22,082,440)	\$ (40,659,520)
<i><u>District Issues</u></i>			
Health Benefits (Estimate 10% increase)	<u>\$ -</u>	<u>\$ (1,701,265)</u>	<u>\$ (1,701,265)</u>
Total Projected Shortfall - Revised	<u>\$ (762,991)</u>	<u>\$ (23,783,705)</u>	<u>\$ (42,360,785)</u>

TOPIC

**PUBLIC HEARING: JOINT BARGAINING PROPOSAL
REGARDING THE 2010-2011 AGREEMENT BETWEEN
IRVINE UNIFIED SCHOOL DISTRICT AND CALIFORNIA
SCHOOL EMPLOYEES ASSOCIATION**

DESCRIPTION

Legislation covering collective bargaining for school districts makes the following provisions for presentation of initial proposals, public hearings, and initiation of negotiations:

- a. All initial proposals of exclusive representatives and of public school employers which relate to matters within the scope of representation shall be presented at a public meeting of the public school employer and thereafter shall be public record.
- b. Meeting and negotiating shall not take place on any proposal until a reasonable time has elapsed, after the submission of the proposal, to enable the public to become informed, and the public has the opportunity to express itself regarding the proposal at a meeting of the public school employer.
- c. After the public has had the opportunity to express itself, the public school employer shall, at a meeting which is open to the public, adopt the initial proposal.
- d. New subjects of meeting and negotiating arising after the presentation of initial proposals shall be made public within 24 hours. If a vote is taken on such subject by the public school employer, the vote thereon by each member voting shall also be made public within 24 hours.
- e. The parties shall initially address issues in the following article:
 1. Article 1 Agreement
 2. Article 2 Purpose of Agreement
 3. Article 3 Recognition and Association Rights
 4. Article 4 Management Rights and Employer Powers
 5. Article 5 Evaluation of Classified Employees
 6. Article 6 Personnel Files
 7. Article 7 Working Conditions
 8. Article 8 Compensation and Related Benefits
 9. Article 9 Health and Welfare Benefits
 10. Article 10 Absences and Leaves
 11. Article 11 Retirement
 12. Article 12 Grievance Procedure
 13. Article 13 Assignment and Reassignment
 14. Article 14 Discipline Procedures
 15. Article 15 Procedure for Employee Layoff
 16. Article 16 Concerted Activities
 17. Article 17 Support of Agreement

18. Article 18 Savings Provision
 19. Article 19 Completion of Meet and Negotiation
 20. Side Letters
 21. *Appendix A*: Dues Structure
 22. *Appendix B*: Classified Roster/Salary Schedule
 23. *Appendix C*: Vacation Schedule/Buy Back
 24. *Appendix D*: Contracting Out/Decision Chart
- f. This proposal has been posted and available for public review for 72 hours.

FISCAL IMPACT

None.

RECOMMENDATION

After holding the public hearing and considering all comments, adopt the joint proposal of the California School Employees Association and the Irvine Unified School District in order to initiate the bargaining process on these Articles.

TOPIC

**PUBLIC HEARING: JOINT BARGAINING PROPOSAL
REGARDING THE 2009-2010 AND THE 2010-2011
AGREEMENT BETWEEN IRVINE UNIFIED SCHOOL
DISTRICT AND IRVINE SUPERVISORY ASSOCIATION**

DESCRIPTION

Legislation covering collective bargaining for school districts makes the following provisions for presentation of initial proposals, public hearings, and initiation of negotiations:

- a. All initial proposals of exclusive representatives and of public school employers which relate to matters within the scope of representation shall be presented at a public meeting of the public school employer and thereafter shall be public record.
- b. Meeting and negotiating shall not take place on any proposal until a reasonable time has elapsed, after the submission of the proposal, to enable the public to become informed, and the public has the opportunity to express itself regarding the proposal at a meeting of the public school employer.
- c. After the public has had the opportunity to express itself, the public school employer shall, at a meeting which is open to the public, adopt the initial proposal.
- d. New subjects of meeting and negotiating arising after the presentation of initial proposals shall be made public within 24 hours. If a vote is taken on such subject by the public school employer, the vote thereon by each member voting shall also be made public within 24 hours.
- e. The parties shall initially address issues in the following article:
 1. Article 1 Agreement
 2. Article 2 Purpose of Agreement
 3. Article 3 Recognition and Association Rights
 4. Article 4 Management Rights and Employer Powers
 5. Article 5 Evaluation Procedures
 6. Article 6 Working Conditions
 7. Article 7 Compensation and Related Benefits
 8. Article 8 Health and Welfare Benefits
 9. Article 9 Absences and Leaves
 10. Article 10 Retirement
 11. Article 11 Grievance Resolution Procedure
 12. Article 12 Termination
 13. Article 13 Savings Provision
 14. Article 14 Support of Agreement
 15. Article 15 Concerted Activities
 16. Article 16 Completion of Meet and Negotiate
 17. Appendix A: Supervisor Salary Schedule 07-08

18. *Appendix B*: Supervisor Salary Schedule 07-08

19. *Appendix C*: Supervisor Salary Schedule 08-09

- f. This proposal has been posted and available for public review for 72 hours.

FISCAL IMPACT

None.

RECOMMENDATION

After holding the public hearing and considering all comments, adopt the joint proposal of the Irvine Supervisory Association and the Irvine Unified School District in order to initiate the bargaining process on these Articles.

TOPIC

PUBLIC HEARING: JOINT BARGAINING PROPOSAL REGARDING THE 2010-2011 AGREEMENT BETWEEN IRVINE UNIFIED SCHOOL DISTRICT AND IRVINE TEACHERS ASSOCIATION

DESCRIPTION

Legislation covering collective bargaining for school districts makes the following provisions for presentation of initial proposals, public hearings, and initiation of negotiations:

- a. All initial proposals of exclusive representatives and of public school employers which relate to matters within the scope of representation shall be presented at a public meeting of the public school employer and thereafter shall be public record.
- b. Meeting and negotiating shall not take place on any proposal until a reasonable time has elapsed, after the submission of the proposal, to enable the public to become informed, and the public has the opportunity to express itself regarding the proposal at a meeting of the public school employer.
- c. After the public has had the opportunity to express itself, the public school employer shall, at a meeting which is open to the public, adopt the initial proposal.
- d. New subjects of meeting and negotiating arising after the presentation of initial proposals shall be made public within 24 hours. If a vote is taken on such subject by the public school employer, the vote thereon by each member voting shall also be made public within 24 hours.
- e. The parties shall initially address issues in the following article:
 1. Article 1 Agreement
 2. Article 2 Recognition
 3. Article 3 Definition
 4. Article 4 Negotiation Procedures
 5. Article 5 Management Rights and District Powers
 6. Article 6 Association Rights
 7. Article 7 Organizational Security
 8. Article 8 Transfer
 9. Article 9 Reassignment
 10. Article 10 Working Conditions
 11. Article 11 Individual Constitutional Rights
 12. Article 12 Evaluation Procedures
 13. Article 13 Intern Teachers
 14. Article 14 Independent Study Program Teachers
 15. Article 15 Peer Assistance and Review (PAR)
 16. Article 16 Personnel Files
 17. Article 17 Compensation and Related Benefits

18. Article 18 Benefits Management Board (BMB)
 19. Article 19 Absences and Leaves
 20. Article 20 Shared Contracts
 21. Article 21 Grievance Procedure
 22. Article 22 Parent/Guardian Complaints
 23. Article 23 Discipline
 24. Article 24 Layoff for Lack of Funds
 25. Article 25 Reduction to Part-Time Employment
 26. Article 26 Dismissal of Probationary Employee
 27. Article 27 Early Retirement
 28. Article 28 Retirement
 29. Article 29 Concerted Activities
 30. Article 30 Support of Agreement
 31. Article 31 Sole and Entire Agreement
 32. Article 32 Savings
 33. Addendums
 34. *Appendix A: Salary Schedules*
 35. *Appendix B-1: Pay Formula*
 36. *Appendix B-2: High School Stipends*
 37. *Appendix B-3: Middle School Stipends*
 38. *Appendix C: Examples of Duties Outside Instructional Time*
 39. *Appendix D: Teacher Transfer Rating Sheet*
 40. *Appendix E: Certificated Application for Leave of Absence*
 41. *Appendix F: Surplus Situation (7-12)*
 42. *Appendix G: Benefits Management Board Guidelines*
 43. *Appendix H: Memorandum of Understanding*
- f. This proposal has been posted and available for public review for 72 hours.

FISCAL IMPACT

None.

RECOMMENDATION

After holding the public hearing and considering all comments, adopt the joint proposal of the Irvine Teachers Association and the Irvine Unified School District in order to initiate the bargaining process on these Articles.

TOPIC

RESOLUTION NO. 09-10-45: INITIATE PROCEEDINGS FOR THE LEVY AND COLLECTION OF ASSESSMENTS WITHIN THE IRVINE UNIFIED SCHOOL DISTRICT RECREATION IMPROVEMENT AND MAINTENANCE DISTRICT FOR FISCAL YEAR 2010-11

DESCRIPTION

The Irvine Unified School District (hereinafter referred to as the "District"), a special district within the meaning of that term under the Landscaping and Lighting Act of 1972, being Part 2 of Division 15 of the California Streets and Highways Code, commencing with Section 22500 (the "Act") proposes to levy and collect assessments pursuant to the Act and as provided by Article XIID of the California Constitution against the lots and parcels of land within the Irvine Unified School District Recreation Improvement and Maintenance District to pay for the costs and expenses of the improvements described below in Section 9 of this Resolution for the fiscal year commencing July 1, 2010 and ending June 30, 2011.

The boundaries of the District are coterminous with the boundaries of the School District.

The Board of Education hereby orders the Engineer, Dolinka Group, LLC, to prepare and file with the Clerk of the Board of Education a report in writing in connection with the levy and collection of assessments against lots and parcels of land within the District for fiscal year 2010-11. This report shall be prepared in accordance with Article 4 of Chapter 1 of the Act and Section 4 of Article XIID of the California Constitution.

FISCAL IMPACT

None

RECOMMENDATION

Adopt Resolution No. 09-10-45 which authorizes the initiation of proceedings for the levy and collection of assessments for fiscal year 2010-11 within the IUSD Recreation Improvement and Maintenance District.

Roll Call Vote: Gavin Huntley-Fenner, Sue Kuwabara, Mike Parham, Sharon Wallin, and Carolyn McInerney

IUSD/Howell
Board Agenda
February 2, 2010

Attachments

IRVINE UNIFIED SCHOOL DISTRICT

RESOLUTION NO. 09-10-45

INITIATE PROCEEDINGS FOR THE LEVY AND COLLECTION OF ASSESSMENTS WITHIN THE IRVINE UNIFIED SCHOOL DISTRICT RECREATION IMPROVEMENT AND MAINTENANCE DISTRICT FOR FISCAL YEAR 2010-11 PURSUANT TO THE PROVISIONS OF PART 2 OF DIVISION 15 OF THE CALIFORNIA STREETS AND HIGHWAYS CODE AND AS PROVIDED BY ARTICLE XIID OF THE CALIFORNIA CONSTITUTION

THE BOARD OF EDUCATION OF THE IRVINE UNIFIED SCHOOL DISTRICT HEREBY FINDS, DETERMINES, RESOLVES AND ORDERS AS FOLLOWS:

Section 1. The Irvine Unified School District (the "School District"), a special district within the meaning of that term under the Landscaping and Lighting Act of 1972, being Part 2 of Division 15 of the California Streets and Highways Code, commencing with Section 22500 (the "Act") pursuant to the provisions of the Act desires to initiate proceedings to levy and collect assessments against the lots and parcels of land within an existing assessment district designated "Irvine Unified School District Recreation Improvement and Maintenance District" (the "District") to pay for the costs and expenses of the improvements described below in Section 9 of this Resolution for the fiscal year commencing July 1, 2010 and ending June 30, 2011.

Section 2. The Act provides an alternative procedure for local agencies to make the improvements authorized by the Act. The Act defines a local agency to include a "special district." The Act defines a "special district" to include any public corporation, other than a county or a city, formed pursuant to general law or special act for the local performance of governmental or proprietary functions within limited boundaries and which is authorized by such law or act to make any of the improvements or to furnish the maintenance or services provided for in the Act.

Section 3. The Act defines "improvements" to include the installation, maintenance and servicing of recreational improvements. The Act defines "maintenance" to include the furnishing of services and materials for the ordinary and usual maintenance, operation and servicing of any improvement, including repair, removal or replacement of all or any part of any improvement; providing for the life, growth, health and beauty of landscaping, including cultivation, irrigation, trimming, spraying, fertilizing, or treating for disease or injury; the removal of trimmings, rubbish, debris and other solid waste; and the cleaning, sandblasting and painting of walls and other improvements to remove or cover graffiti. The Act defines "servicing" to include the furnishing of electric current, or energy, gas or other illuminating agent for any public lighting facilities or for the lighting or operation of any other improvements and water for the irrigation of any landscaping, the operation of any fountains, or the maintenance of any other improvements.

Section 4. The School District owns various school buildings, places, structures, areas, facilities, playgrounds, playing fields, stadiums, tracks, courts and other recreational facilities, as described on Exhibit A, attached hereto and incorporated herein by reference.

Such school buildings, places, structures, areas, facilities, playgrounds, playing fields, courts, stadiums, tracks, courts and other recreational facilities are used as recreation centers within the meaning of California Education Code Section 10901, being school buildings, places, structures, areas, facilities, playgrounds, playing fields, courts, stadiums, tracks, courts and other recreational facilities under the jurisdiction of the District and used for community recreation purposes and were previously designated by the Board of Education as recreation centers.

Section 5. Education Code Section 38131 provides that there is a civic center at each and every public school facility and grounds within the State where, among others, citizens, camp fire girls, Boy Scout troops, and associations formed for recreational activities may engage in supervised recreational activities. The governing board of any school district may grant the use of school facilities or grounds as a civic center for recreational meetings and supervised recreational activities.

Section 6. Education Code Section 35160 provides that the governing board of any school district may initiate and carry on any program, activity, or may otherwise act in any manner which is not in conflict with or inconsistent with, or preempted by, any law and which is not in conflict with the purposes for which school districts are established.

Section 7. The School District is a "special district" within the meaning of the Act. It is well-established under California law that a school district is a public corporation and school districts are formed pursuant to general law for the local performance of governmental functions within limited boundaries and are authorized by such law to make recreational improvements and to maintain and service the recreational improvements.

Section 8. The boundaries of the District are coterminous with the boundaries of the School District and are shown on Exhibit B, attached hereto and incorporated herein by reference.

Section 9. The existing improvements may be briefly described as follows:

The installation, maintenance, and servicing of recreational improvements at the school buildings, places, structures, areas, facilities, playgrounds, playing fields, stadiums, tracks, courts and other recreational facilities described in Section 4 above.

The maintenance costs include the personnel, material, and equipment repair/replacement costs required to maintain recreational improvements throughout the District. Personnel costs include, but are not limited to, the cost of mowing, grading, turf maintenance, irrigation maintenance, weed control, custodial support, electrical systems maintenance, plumbing systems maintenance, parking area maintenance, painting,

vandalism, abatement, and management. Material costs include the cost of purchasing fertilizer, irrigation materials, paint, electrical parts, plumbing parts, and other applicable material purchases. Equipment repair/replacement costs include equipment expenditures required for maintenance of recreational improvements.

The servicing costs include providing irrigation water and electrical energy to recreational improvements throughout the District. Electrical energy costs include, but are not limited to, energy costs for field lighting and security lighting. Water costs include irrigation water costs for playing fields.

The installation costs include, but are not limited to, the costs of installing, replacing or repairing play equipment (such as swings, climbers, slides, rings and spring toys), play courts (such as volley ball and tether ball courts), site amenities (such as drinking fountains, benches, trash receptacles, tables, security lighting, gates and fences), sport facilities (such as basketball courts, sports fields and stadiums) and irrigation systems. Installation costs also include the cost of installing, replacing or repairing drainage improvements, curbs, retaining walls, safety surfaces, turf, paving, striping, grading, landscaping and similar improvements associated with the above. There are no proposed charges to the existing improvements for fiscal year 2010-11.

Section 10. Lots or parcels of land within the proposed District that are owned or used by any county, city, city and county, special district or any other local governmental entity, the State of California, or the United States shall be assessed unless the School District demonstrates by clear and convincing evidence that such lots or parcels receive no special benefit from the proposed improvements.

Section 11. The Board of Education hereby orders the Engineer, Dolinka Group, LLC to prepare and file with the Clerk of the Board of Education a report in writing in connection with the levy and collection of assessments against lots and parcels of land within the proposed District for fiscal year 2010-11. This report shall be prepared in accordance with Article 4 of Chapter 1 of the Act and Section 4 of Article XIID of the California Constitution.

PASSED, APPROVED AND ADOPTED this 2nd day of February, 2010.

President of the Board of Education
Irvine Unified School District

ATTEST:

Clerk of the Board of Education
Irvine Unified School District

Exhibit "A"

The School District owns school buildings, places, structures, areas, playgrounds, playing fields, stadiums, tracks, courts and other recreation facilities at the following locations (all located in Irvine, California):

Facility Name	School Type	Facility Location
<i>Elementary Schools</i>		
Alderwood @ Quail Hill Alderwood @ Yale	K – 6	2005 Knollcrest 2 Alderwood
Bonita Canyon	K – 6	1 Sundance
Brywood	K – 6	1 Westwood
Canyon View	K – 6	12025 Yale Court
College Park	K – 6	3700 Chaparral Ave
Culverdale	K – 6	2 Paseo Westpark
Deerfield	K – 6	2 Deerfield Ave
Eastshore	K – 6	155 Eastshore
El Camino Real	K – 6	4782 Karen Ann Lane
Greentree	K – 6	4200 Manzanita
Early Childhood Learning Center	0-5 years	1 Smoketree
Meadow Park	K – 6	50 Blue Lake South
Northwood	K – 6	28 Carson
Oak Creek	K – 6	1 Dove Creek
Plaza Vista	K – 8	670 Paseo Westpark
Santiago Hills	K – 6	29 Christamon West
Springbrook	K – 6	655 Springbrook North
Stone Creek	K – 6	2 Stone Creek South
Stonegate	K – 6	100 Honors
Turtle Rock	K – 6	5151 Amalfi Drive

University Park	K – 6	4572 Sandburg Way
Vista Verde	K – 8	5144 Michelson
Vista Verde/Turtle Ridge	K – 8	6 Federation Way
Westpark	K – 6	25 San Carlo
Westwood	K – 6	1 Liberty
Woodbury	K – 6	125 Great Lawn
<i>Middle Schools</i>		
Lakeside	7 – 8	3 Lemongrass
Rancho San Joaquin	7 – 8	4861 Michelson
Sierra Vista	7 – 8	2 Liberty
Southlake	7 – 8	655 W. Yale Loop
Venado	7 – 8	4 Deerfield Ave
<i>High Schools</i>		
Irvine	9 - 12	4321 Walnut Ave
Northwood	9 - 12	4515 Portola Parkway
Creekside Continuation School	9 - 12	311 West Yale Loop
Creekside Continuation School @ Harvard/Barranca	9 - 12	3387 Barranca Parkway
University	9 - 12	4771 Campus Drive
Woodbridge	9 - 12	2 Meadowbrook

Exhibit "B"

Map of the Irvine Unified School District Recreation Improvement and Maintenance District.

