

Regular Meeting  
CAPISTRANO UNIFIED SCHOOL DISTRICT  
BOARD OF TRUSTEES

33122 Valle Road  
San Juan Capistrano, CA 92675

December 7, 2010

7:00 p.m.

**I. PRELIMINARY**

Meeting was called to order by \_\_\_\_\_

Pledge of Allegiance to the Flag

Board consideration and adoption of the agenda.

Motion by \_\_\_\_\_ Seconded by \_\_\_\_\_

<b>ROLL CALL:</b>	<b>Present</b>	<b>Absent</b>
John Alpay, Member	_____	_____
Ellen Addonizio, Member	_____	_____
Jack Brick, Member	_____	_____
Anna Bryson, Member	_____	_____
Lynn Hatton, Member	_____	_____
Sue Palazzo, Member	_____	_____
Gary Pritchard, Member	_____	_____
Larson Ishii, Student Advisor	_____	_____

**OATH OF OFFICE**  
**6:00 p.m.**

*Trustees Addonizio, Alpay, Bryson, Hatton, and Pritchard*

**CLOSED SESSION**  
*Immediately following the Oath of Office*

**REPORT ON CLOSED SESSION ACTION**

**Oral Communications will occur immediately following Board and Superintendent Comments. The total time for Oral Communications shall be twenty (20) minutes. Individual presentations are limited to a maximum of three (3) minutes per individual.**

**PUBLIC HEARING: Agenda Item #41 – Oxford Preparatory Academy Charter School**  
**PUBLIC HEARING: Agenda Item #43 – Romero Bill/Open Enrollment Act Waiver Request**  
**PUBLIC HEARING: Agenda Item #46 – Community Facilities District (CFD) 2005-1 Whispering Hills**

**RECORDING OF SCHOOL BOARD MEETINGS**  
**In accordance with Board Policy 9324, Board Minutes, all Regular School Board Meetings will be audio recorded.**

## **II. INSTRUCTIONS FOR PRESENTATIONS TO THE BOARD BY PARENTS AND CITIZENS PRESENT AT THIS MEETING**

We are pleased you can be with us at this meeting, and we hope you will return often. Your visit assures us of continuing community interest in our schools.

The members of the Board of Trustees of this District are locally elected state officials, who serve four-year terms of office, and who are responsible for the educational program of our community from grades kindergarten through twelve. They are required to conduct programs of the schools in accordance with the State of California Constitution, the State Education Code, and other laws relating to schools enacted by the Legislature, and policies and procedures which this Board adopts.

The Board is a policy-making body whose actions are guided by the school district's Mission and Goals. Administration of the District is delegated to a professional administrative staff headed by the Superintendent.

The agenda and its extensive background material are studied by each member of the Board for at least two days preceding the meeting. Board Members can call the administrative staff for clarification on any item, and many of the items on the agenda were discussed by the Board during previous meetings. These procedures enable the Board to act more effectively on agenda items than would otherwise be possible.

### **WHAT TO DO IF YOU WISH TO ADDRESS THE BOARD OF TRUSTEES**

**ITEMS ON THE AGENDA.** Any person may address the Board concerning any item on the agenda and may, at the discretion of the Board, be granted three (3) minutes to make a presentation to the Board at the time a specific item is under discussion. However, the time assigned for individual presentations could be fewer than three (3) minutes depending upon the total number of speakers who wish to address a specific agenda topic. Prior to the opening of the meeting, a Request to Address the Board card (located in the foyer) should be completed and submitted to the Secretary of the Board. The total time devoted to presentations to the Board shall not exceed twenty (20) minutes, unless additional time is granted by the Board. All presentations shall be heard by the Board prior to the formal discussion of the agenda topic under consideration. Once an agenda item has been opened for public comment, no additional "Request to Address the Board of Trustees" cards shall be accepted for that topic.

**ORAL COMMUNICATIONS (Non-Agenda Items).** Citizens may address the Board on any item not appearing on the agenda. Individual presentations are limited to three (3) minutes per individual, with twenty (20) minutes in total being devoted for this purpose, but could be less if there are a large number of Oral Communication speakers. Legally, the Board may not take action on items raised by speakers under Oral Communications. However, at its discretion, the Board may refer items to the administration for follow-up or place topics on a future Board agenda.

**PUBLIC HEARINGS.** Anytime the Board schedules a separate public hearing on any given topic, it shall not hear speakers on that topic before the public hearing, except as to the scheduling of the hearing, nor shall it hear speakers after the hearing, except as to changes in the policy or recommended actions which are directed at the time of the hearing.

**CLOSED SESSION.** In accordance with Education Code §35146 and Government Code §54957, the Board may recess to Closed Session to discuss personnel matters which they consider inadvisable to take up in a public meeting.

#### **REASONABLE ACCOMMODATION**

*In order to help ensure participation in the meeting of disabled individuals, appropriate disability-related accommodations or modifications shall be provided by the Board, upon request, in accordance with the Americans with Disabilities Act (ADA). Persons with a disability who require a disability-related accommodation or modification, including auxiliary aids and services in order to participate in a Board meeting, shall contact the Superintendent or designee in writing by noon on the Friday before the scheduled meeting. Such notification shall provide school district personnel time to make reasonable arrangements to assure accessibility to the meeting.*

### III. ORGANIZATION OF THE BOARD

- |    |   |                                |
|----|---|--------------------------------|
| 1. | REORGANIZATION OF BOARD: Election, President of Board.<br>(Supporting Information)      | ACTION<br>Vote _____<br>Page 1 |
| 2. | REORGANIZATION OF BOARD: Election, Vice President of Board.<br>(Supporting Information) | ACTION<br>Vote _____<br>Page 1 |
| 3. | REORGANIZATION OF BOARD: Election, Clerk of Board.<br>(Supporting Information)          | ACTION<br>Vote _____<br>Page 1 |

#### HOLIDAY MUSIC PROGRAM

*Tesoro High School Madrigals  
Under the Direction of Keith Hancock*

#### SPECIAL RECOGNITIONS

#### BREAK

#### BOARD AND SUPERINTENDENT COMMENTS

##### ORAL COMMUNICATIONS (Non-Agenda Items)

- |    |  |                                |
|----|--|--------------------------------|
| 4. | REORGANIZATION OF BOARD – APPOINTMENTS TO COMMITTEES: Selection,<br>Trustee participation on various committees.<br>(Supporting Information) | ACTION<br>Vote _____<br>Page 3 |
|----|--|--------------------------------|

### IV. CONSENT CALENDAR

All matters listed under the Consent Calendar are considered by the Board to be routine and will be enacted by the Board in one motion in the form listed below. There will be no discussion of these items prior to the time the Board votes on the motion unless members of the Board, staff, or the public request specific items to be discussed and/or removed from the Consent Calendar. The Superintendent and staff recommend approval of all Consent Calendar items.

#### GENERAL FUNCTIONS

- |    |   | PAGE # |
|----|---|--------|
| 5. | SCHOOL BOARD MINUTES: Approval, minutes of the November 9, 2010, Regular<br>Board Meeting.<br>(Supporting Information)<br><i>Contact: Jane Boos, Manager, Board Office Operations</i>                 | 9      |
| 6. | SCHOOL BOARD MEETING SCHEDULE: Approval, School Board Meeting Schedule<br>for the period July through December, 2011.<br>(Supporting Information)<br><i>Contact: Joseph M. Farley, Superintendent</i> | 13     |

#### CURRICULUM & INSTRUCTION

- |    |   |    |
|----|---|----|
| 7. | CALIFORNIA HIGH SCHOOL EXIT EXAM: Approval, petition to waive<br>California Ed Code §60851(c)/Board Policy 6162.52—California High<br>School Exit Exam: Case #1011-008 through 1011-010.<br>(Supporting Information)<br><i>Contact: Julie Hatchel, Assistant Superintendent, Education Services</i> | 17 |
|----|---|----|

8. EXTENDED SCHOOL YEAR SCHEDULE: Approval, proposed 2011 Extended School Year Schedule. 19  
 (Supporting Information)  
*Contact: Julie Hatchel, Assistant Superintendent, Education Services*
9. SINGLE SCHOOL PLANS: Approval, 2010-2011 Single School Plans for Student Achievement and Budgets. 23  
 (Supporting Information)  
*Contact: Julie Hatchel, Assistant Superintendent, Education Services*
10. INSTRUCTIONAL MATERIALS: Approval, instructional materials recommended for adoption, high school foreign language textbook, Advanced Placement Chinese. 25  
 (Supporting Information)  
*Contact: Julie Hatchel, Assistant Superintendent, Education Services*
11. INSTRUCTIONAL MATERIALS: Approval, supplemental instructional materials recommended for adoption, Read 180. 27  
 (Supporting Information)  
*Contact: Julie Hatchel, Assistant Superintendent, Education Services*

#### **BUSINESS & SUPPORT SERVICES**

12. PURCHASE ORDERS/COMMERCIAL WARRANTS: Approval, purchase orders and commercial warrants. 29  
 (Supporting Information)  
*Contact: Ron Lebs, Deputy Superintendent, Business & Support Services*
13. DONATIONS: Approval, donations of funds/equipment. 69  
 (Supporting Information)  
*Contact: Ron Lebs, Deputy Superintendent, Business & Support Services*
14. CONSULTING AGREEMENT: Approval, supplemental educational tutoring services – 100% Learning Fun Center. 73  
 (Supporting Information)  
*Contact: Ron Lebs, Deputy Superintendent, Business & Support Services*
15. CONSULTING AGREEMENT: Approval, supplemental educational tutoring services, L.E.A.P.S. Learning Services. 85  
 (Supporting Information)  
*Contact: Ron Lebs, Deputy Superintendent, Business & Support Services*
16. CONSULTING AGREEMENT: Approval, supplemental educational tutoring services, UROK Learning Institute. 99  
 (Supporting Information)  
*Contact: Ron Lebs, Deputy Superintendent, Business & Support Services*
17. CONSULTING AGREEMENT: Approval, supplemental educational tutoring services, Mathnasium of San Clemente. 111  
 (Supporting Information)  
*Contact: Ron Lebs, Deputy Superintendent, Business & Support Services*
18. CONSULTING AGREEMENT: Approval, supplemental educational tutoring services, Ultimate Success Learning Program. 123  
 (Supporting Information)  
*Contact: Ron Lebs, Deputy Superintendent, Business & Support Services*

19. CONSULTING AGREEMENT: Approval, supplemental educational tutoring services, 135  
Learning Ladder, Inc.  
(Supporting Information)  
*Contact: Ron Lebs, Deputy Superintendent, Business & Support Services*
20. CONSULTING AGREEMENT: Approval, supplemental educational tutoring services, 147  
Basic Educational Services Team, Inc.  
(Supporting Information)  
*Contact: Ron Lebs, Deputy Superintendent, Business & Support Services*
21. CONSULTING AGREEMENT: Approval, supplemental educational tutoring services, 159  
ATS Project Success.  
(Supporting Information)  
*Contact: Ron Lebs, Deputy Superintendent, Business & Support Services*
22. CONSULTING AGREEMENT: Approval, supplemental educational tutoring services, 171  
ACE Tutoring Services, Inc.  
(Supporting Information)  
*Contact: Ron Lebs, Deputy Superintendent, Business & Support Services*
23. CONSULTING AGREEMENT: Approval, supplemental educational tutoring services, 183  
The Academic Advantage, Inc.  
(Supporting Information)  
*Contact: Ron Lebs, Deputy Superintendent, Business & Support Services*
24. CONSULTING AGREEMENT: Approval, supplemental educational tutoring services, 195  
Math + Think, Inc.  
(Supporting Information)  
*Contact: Ron Lebs, Deputy Superintendent, Business & Support Services*
25. CONSULTING AGREEMENT: Approval, supplemental educational tutoring services, 207  
Total Education Solutions.  
(Supporting Information)  
*Contact: Ron Lebs, Deputy Superintendent, Business & Support Services*
26. CONSULTING AGREEMENT: Approval, supplemental educational tutoring services, 219  
Professional Tutors of America, Inc.  
(Supporting Information)  
*Contact: Ron Lebs, Deputy Superintendent, Business & Support Services*
27. CONSULTING AGREEMENT: Approval, supplemental educational tutoring services, 231  
Club Z in Home Tutoring.  
(Supporting Information)  
*Contact: Ron Lebs, Deputy Superintendent, Business & Support Services*
28. CONSULTING AGREEMENT: Approval, supplemental educational tutoring services, 249  
Teach-N-Tutor, Inc.  
(Supporting Information)  
*Contact: Ron Lebs, Deputy Superintendent, Business & Support Services*
29. CONSULTING AGREEMENT: Approval, installation, training and support for adaptive 261  
hardware and software for disabled students - Voice Solutions.  
(Supporting Information)  
*Contact: Ron Lebs, Deputy Superintendent, Business & Support Services*
30. CONSULTING AGREEMENT: Approval, architectural services, PJHM Architects, Inc. 273  
(Supporting Information)  
*Contact: Ron Lebs, Deputy Superintendent, Business & Support Services*

31. LIMITED USE LICENSE AGREEMENT: Approval, limited use license agreement 287  
between CUSD and SAMLARC for use of Tijeras Creek Park.  
(Supporting Information)  
*Contact: Ron Lebs, Deputy Superintendent, Business & Support Services*
32. LIMITED USE LICENSE AGREEMENT: Approval, limited use license agreement 305  
between CUSD and SAMLARC for use of Arroyo Vista Park.  
(Supporting Information)  
*Contact: Ron Lebs, Deputy Superintendent, Business & Support Services*
33. LEASE/PURCHASE FINANCING AGREEMENT: Approval, authorization to enter into 323  
a lease/purchase financing agreement with Key Government Finance, Cisco  
Capital's Financing Partner.  
(Supporting Information)  
*Contact: Ron Lebs, Deputy Superintendent, Business & Support Services*
34. UTILIZATION OF CONTRACT NO. GS-07F-0396M: Approval, authorization to utilize 355  
Contract No. GS-07F-0396M, Fire and Security Alarm and Signal Systems for Life  
Cycle Support Providing Design, Coding Integration, Testing, Deploying, Repair,  
Maintenance, Ancillary Services – General Services Administration (GSA) –  
SimplexGrinnell LP under the same terms and conditions of the public agency's  
contract.  
(Supporting Information)  
*Contact: Ron Lebs, Deputy Superintendent, Business & Support Services*
35. ASSOCIATED STUDENT BODY BANK ACCOUNTS: Approval, bank accounts for all 357  
ASB organizations.  
(Supporting Information)  
*Contact: Ron Lebs, Deputy Superintendent, Business & Support Services*
36. CLASS SIZE REDUCTION: Approval, application to participate in the class size 361  
reduction program.  
(Supporting Information)  
*Contact: Ron Lebs, Deputy Superintendent, Business & Support Services*
37. UNIFORM SERVICE: Approval, award of Request for Proposal (RFP) No. 3-1011, 369  
Uniform Service - Cintas Corporation.  
(Supporting Information)  
*Contact: Ron Lebs, Deputy Superintendent, Business & Support Services*
38. MILK AND DAIRY PRODUCTS: Approval, authorization to advertise Bid No. 1011-08, 375  
Milk and Dairy Products.  
(Supporting Information)  
*Contact: Ron Lebs, Deputy Superintendent, Business & Support Services*

### **PERSONNEL SERVICES**

39. RESIGNATIONS/RETIREMENTS/EMPLOYMENT: Approval, classified 377  
personnel.  
(Supporting Information)  
*Contact: Jodee Brentlinger, Assistant Superintendent, Personnel*
40. RESIGNATIONS/RETIREMENTS/EMPLOYMENT: Approval, certificated 387  
personnel.  
(Supporting Information)  
*Contact: Jodee Brentlinger, Assistant Superintendent, Personnel*

Motion by \_\_\_\_\_ Seconded by \_\_\_\_\_

ROLL CALL:

Student Advisor Larson Ishii \_\_\_\_\_

Trustee Addonizio \_\_\_\_\_

Trustee Alpay \_\_\_\_\_

Trustee Brick \_\_\_\_\_

Trustee Bryson \_\_\_\_\_

Trustee Hatton \_\_\_\_\_

Trustee Palazzo \_\_\_\_\_

Trustee Pritchard \_\_\_\_\_

**NOTE: BY USING A ROLL CALL VOTE FOR THE CONSENT CALENDAR, IT WILL MEET THE NEED FOR ACTION ITEMS WHICH REQUIRE A SIMPLE MOTION OR ROLL CALL VOTE.**

**V. DISCUSSION/ACTION**

- 41. **OXFORD PREPARATORY ACADEMY CHARTER SCHOOL – PUBLIC HEARING:** Comments from the public on the petition from Oxford Preparatory Academy Charter School. (Supporting Information)  
*Contact: Julie Hatchel Assistant Superintendent, Education Services*

INFORMATION/  
DISCUSSION  
Page 395

- 42. **LEGAL SERVICES' EXTENTION AGREEMENTS:** Consideration and approval, extension agreements for legal services for 2011. (Supporting Information)  
*Contact: Ron Lebs, Deputy Superintendent, Business & Support Services*

DISCUSSION/  
ACTION  
Vote \_\_\_\_\_  
Page 397

Motion by \_\_\_\_\_ Seconded by \_\_\_\_\_

- 43. **ROMERO BILL/OPEN ENROLLMENT ACT WAIVER REQUEST– PUBLIC HEARING:** Consideration and approval, waivers for Kinoshita, San Juan , and Viejo elementary schools to remove these schools from participation in the sanctions of the Romero Bill/Open Enrollment Act. (Supporting Information)  
*Contact: Julie Hatchel, Assistant Superintendent, Education Services*

DISCUSSION/  
ACTION  
Vote \_\_\_\_\_  
Page 485

Motion by \_\_\_\_\_ Seconded by \_\_\_\_\_

ROLL CALL:

Student Advisor Larson Ishii \_\_\_\_\_

Trustee Addonizio \_\_\_\_\_

Trustee Alpay \_\_\_\_\_

Trustee Brick \_\_\_\_\_

Trustee Bryson \_\_\_\_\_

Trustee Hatton \_\_\_\_\_

Trustee Palazzo \_\_\_\_\_

Trustee Pritchard \_\_\_\_\_

- 44. **FIRST INTERIM REPORT:** Consideration and approval, Certification of the 2010-2011 First Interim Report; adoption of Resolution No. 1011-31, Incorporating 2010 -2011 Revenue and Expenditure Increases/Decreases. (Supporting Information)  
*Contact: Ron Lebs, Deputy Superintendent, Business & Support Services*

DISCUSSION/  
ACTION  
Vote \_\_\_\_\_  
Page 507

Motion by \_\_\_\_\_ Seconded by \_\_\_\_\_

ROLL CALL:

Student Advisor Larson Ishii \_\_\_\_\_

Trustee Addonizio \_\_\_\_\_

Trustee Alpay \_\_\_\_\_

Trustee Brick \_\_\_\_\_

Trustee Bryson \_\_\_\_\_

Trustee Hatton \_\_\_\_\_

Trustee Palazzo \_\_\_\_\_

Trustee Pritchard \_\_\_\_\_

45. **MENTAL HEALTH SERVICES:** Consideration and approval, authorization to file a lawsuit against the Orange County Health Care Agency, Resolution No. 1011-34. (Supporting Information)  
*Contact: Joseph M. Farley, Superintendent*

DISCUSSION/  
ACTION  
Vote \_\_\_\_\_  
Page 661

Motion by \_\_\_\_\_ Seconded by \_\_\_\_\_

ROLL CALL:

Student Advisor Larson Ishii \_\_\_\_\_

Trustee Addonizio \_\_\_\_\_

Trustee Alpay \_\_\_\_\_

Trustee Brick \_\_\_\_\_

Trustee Bryson \_\_\_\_\_

Trustee Hatton \_\_\_\_\_

Trustee Palazzo \_\_\_\_\_

Trustee Pritchard \_\_\_\_\_

46. **COMMUNITY FACILITIES DISTRICT 2005-1 (WHISPERING HILLS) – PUBLIC HEARING CONTINUED:** Consideration and approval, reducing special taxes of Community Facilities District (CFD) 2005-1 (Whispering Hills) hereafter CFD No. 2005-1, termination thereof and initiation of additional proceedings. Resolution No. 1011-32. (Supporting Information)  
*Contact: Ron Lebs, Deputy Superintendent, Business & Support Services*

DISCUSSION/  
ACTION  
Vote \_\_\_\_\_  
Page 665

Motion by \_\_\_\_\_ Seconded by \_\_\_\_\_

ROLL CALL:

Student Advisor Larson Ishii \_\_\_\_\_

Trustee Addonizio \_\_\_\_\_

Trustee Alpay \_\_\_\_\_

Trustee Brick \_\_\_\_\_

Trustee Bryson \_\_\_\_\_

Trustee Hatton \_\_\_\_\_

Trustee Palazzo \_\_\_\_\_

Trustee Pritchard \_\_\_\_\_

47. **DIVISION OF STATE ARCHITECT:** Update of progress of the Division of State Architect Construction and Project listing. (Supporting Information)  
*Contact: Ron Lebs, Deputy Superintendent, Business & Support Services*

INFORMATION/  
DISCUSSION  
Page 671

## VI. ADJOURNMENT

**THE NEXT REGULAR MEETING OF THE GOVERNING BOARD WILL BE HELD ON TUESDAY, JANUARY 11, 2011, 7:00 P.M. AT THE CAPISTRANO UNIFIED SCHOOL DISTRICT OFFICE BOARD ROOM, 33122 VALLE ROAD, SAN JUAN CAPISTRANO, CALIFORNIA**

For information regarding Capistrano Unified School District, please visit our website:

[www.capousd.org](http://www.capousd.org)



## VII. CLOSED SESSION

### 48. Closed Session (as authorized by law)

- A. CONFERENCE WITH LEGAL COUNSEL — PENDING LITIGATION  
LIABILITY CLAIM: No. 07-58298DP  
*(Pursuant to Government Code §54956.9(a))*
  
- B. CONFERENCE WITH LEGAL COUNSEL — EXISTING LITIGATION  
Superior Court of the State of California  
County of Orange  
Case No. 00300788  
Whispering Hills LLC v. Capistrano Unified School District  
*(Pursuant to Government Code §54956.9(a))*
  
- C. STUDENT EXPULSIONS – Items C-1 through C-9  
Deliberations of Findings of Fact and Recommendations  
*(Pursuant to Education Code §48918(c) and §35145)*
  
- D. PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE  
*(Pursuant to Government Code §54957)*
  
- E. PUBLIC EMPLOYEE APPOINTMENT/EMPLOYMENT  
Principal, Aliso Viejo Middle School  
Principal, Oak Grove Elementary School  
Assistant Principal, Middle School  
*(Pursuant to Government Code §54957)*
  
- F. CONFERENCE WITH LABOR NEGOTIATORS  
Dr. Joseph M. Farley/Jodee Brentlinger/Ron Lebs  
Employee Organization:
  - 1) Capistrano Unified Education Association (CUEA)
  - 2) Capistrano School Employees Association (CSEA)
  - 3) Unrepresented Employees (CUMA)
  - 4) Teamsters*(Pursuant to Government Code §54957.6)*