

Regular Meeting
CAPISTRANO UNIFIED SCHOOL DISTRICT
BOARD OF TRUSTEES

33122 Valle Road
San Juan Capistrano, CA 92675

June 29, 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 _____

ROLL CALL:	Present	Absent
Anna Bryson, President	_____	_____
Ken Lopez-Maddox, Vice President	_____	_____
Jack Brick, Clerk	_____	_____
Ellen M. Addonizio, Member	_____	_____
Larry Christensen, Member	_____	_____
Sue Palazzo, Member	_____	_____
Mike Winsten, Member	_____	_____

CLOSED SESSION COMMENTS

CLOSED SESSION
5:30 p.m.

REPORT ON CLOSED SESSION ACTION

SPECIAL RECOGNITIONS

Erin Davis, K-12 Perfect Attendance
Pedro Serrano, K-12 Perfect Attendance
CVHS Varsity Boys Swim Team – CIF Back-to-Back Champions

BOARD AND SUPERINTENDENT COMMENTS

ORAL COMMUNICATIONS (Non-Agenda Items)

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 #21: 2010-11 Use of Categorical Flexibility Funds.

PUBLIC HEARING: Agenda Item #22: The 2010-11 Final Budget.

RECORDING OF SCHOOL BOARD MEETINGS

In accordance with Board Policy 9324, Board Minutes, all Regular School Board Meetings will be audio recorded.

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

www.capousd.org

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 Section 35146 and Government Code Section 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. 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 #

1. SCHOOL BOARD MINUTES: Approval, minutes of the June 15, 2010, Regular Board Meeting. 1
(Supporting Information)
Contact: Jane Boos, Manager, Board Office Operations
2. SCHOOL BOARD MEETING SCHEDULE REVISION: Approval, revision to the School Board Meeting Schedule. 9
(Supporting Information)
Contact: Jane Boos, Manager, Board Office Operations

CURRICULUM & INSTRUCTION

3. SPECIAL EDUCATION: Approval, nonpublic school and agency contracts. 13
(Supporting Information)
Contact: Candy Miller, Special Education Consultant
4. EXPULSION READMISSIONS: Approval, readmission of students from expulsion. 17
(Supporting Information)
Contact: Julie Hatchel Assistant Superintendent, Education
5. PROPOSED SCHOOL START/DISMISSAL TIMES: Approval, proposed school starting and dismissal times for the 2010-11 school year. 19
(Supporting Information)
Contact: Julie Hatchel Assistant Superintendent, Education
6. CATEGORICAL AID PROGRAMS: Approval, 2010-11 Consolidated Application for Funding Categorical Aid Programs, Part I. 27
(Supporting Information)
Contact: Julie Hatchel Assistant Superintendent, Education
7. INSTRUCTIONAL MATERIALS: Approval, adoption of standard instructional materials used districtwide in designated courses. 29
(Supporting Information)
Contact: Julie Hatchel Assistant Superintendent, Education

BUSINESS & SUPPORT SERVICES

8. PURCHASE ORDERS/WARRANTS/CONSULTING AGREEMENTS: 31
Approval, Purchase Orders/Warrants/Consultant Agreements.
(Supporting Information)
Contact: Ron Lebs, Deputy Superintendent, Business & Support Services
9. DONATIONS: Approval, donations of funds/equipment. 63
(Supporting Information)
Contact: Ron Lebs, Deputy Superintendent, Business & Support Services
10. DATA MANAGEMENT SYSTEM: Approval, extension of RFP No. 7-0708, Instructional Student Assessment Data Management System, Achieve! Data Solutions, LLC for 2010-11. 67
(Supporting Information)
Contact: Ron Lebs, Deputy Superintendent, Business & Support Services

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| 11. | OBSOLETE MATERIALS: Approval, authorization to sell obsolete and unusable district materials.
(Supporting Information)
<i>Contact: Ron Lebs, Deputy Superintendent, Business & Support Services</i> | 73 |
| 12. | E-RATE CONSULTANT: Approval, extension of RFQ No. 1-0910, E-Rate Consultant, NvLS Professional Services, LLC.
(Supporting Information)
<i>Contact: Ron Lebs, Deputy Superintendent, Business & Support Services</i> | 75 |
| 13. | BID REJECTION: Approval, reject all bids for Bid No. 1011-04, Roof Repair and Maintenance.
(Supporting Information)
<i>Contact: Ron Lebs, Deputy Superintendent, Business & Support Services</i> | 83 |
| 14. | ANNUAL REPORT: Approval, 2009-10 Annual Report on Prevailing Wage Monitoring and Labor Compliance Program.
(Supporting Information)
<i>Contact: Ron Lebs, Deputy Superintendent, Business & Support Services</i> | 85 |
| 15. | FLOORING MATERIALS: Approval, Bid No. 0708-05, Flooring materials and Installation, Company Name Change.
(Supporting Information)
<i>Contact: Ron Lebs, Deputy Superintendent, Business & Support Services</i> | 91 |
| 16. | JUVENILE COURT WORK PROGRAM SERVICES: Approval, extension of Juvenile Court Work Program Services Agreement with the County of Orange for 2010-11.
(Supporting Information)
<i>Contact: Ron Lebs, Deputy Superintendent, Business & Support Services</i> | 93 |
| 17. | ELECTRICAL SERVICE: Approval, award of Bid No. 1011-02, Electric Service, Gilbert & Stearns, Inc.
(Supporting Information)
<i>Contact: Ron Lebs, Deputy Superintendent, Business & Support Services</i> | 117 |

PERSONNEL SERVICES

- | | | |
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| 18. | EMPLOYMENT CONTRACTS: Approval, employment contracts for Executive Director, SELPA.
(Supporting Information)
<i>Contact: Jodee Brentlinger, Assistant Superintendent, Personnel</i> | 121 |
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Motion by _____	Seconded by _____
ROLL CALL:	
Trustee Addonizio _____	Trustee Palazzo _____
Trustee Brick _____	Trustee Lopez-Maddox _____
Trustee Christensen _____	Trustee Winsten _____
	Trustee Bryson _____

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.

IV. DISCUSSION/ACTION

19. **TEAMSTERS:** Consideration and approval, CUSD/Teamsters recommendation of tentative agreement, July 1, 2009 – June 30, 2012.
(Supporting Information)
Contact: Jodee Brentlinger, Assistant Superintendent, Personnel
- DISCUSSION/
ACTION
Vote ____
Page 129

Motion by _____ Seconded by _____

20. **CLASSIFIED LAYOFF-NON-MANAGEMENT EMPLOYEES:** Consideration and approval, Resolution No. 0910-78, classified layoffs of non-management employees.
(Supporting Information)
Contact: Jodee Brentlinger, Assistant Superintendent, Personnel
- DISCUSSION/
ACTION
Vote ____
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Motion by _____ Seconded by _____

ROLL CALL:

Trustee Addonizio _____	Trustee Palazzo _____
Trustee Brick _____	Trustee Lopez-Maddox _____
Trustee Christensen _____	Trustee Winsten _____
	Trustee Bryson _____

21. **PUBLIC HEARING—2010-11 USE OF CATEGORICAL FLEXIBILITY FUNDS:** Consideration and approval, Resolution No. 0910-77, 2010-11 Use of Categorical Flexibility Funds.
(Supporting Information)
Contact: Ron Lebs, Deputy Superintendent, Business & Support Services
- DISCUSSION/
ACTION
Vote ____
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Motion by _____ Seconded by _____

ROLL CALL:

Trustee Addonizio _____	Trustee Palazzo _____
Trustee Brick _____	Trustee Lopez-Maddox _____
Trustee Christensen _____	Trustee Winsten _____
	Trustee Bryson _____

22. **PUBLIC HEARING—FINAL BUDGET:** Consideration and approval, adoption of the 2010 -11 Final Budget.
(Supporting Information)
Contact: Ron Lebs, Deputy Superintendent, Business & Support Services
- DISCUSSION/
ACTION
Vote ____
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Motion by _____ Seconded by _____

ROLL CALL:

Trustee Addonizio _____	Trustee Palazzo _____
Trustee Brick _____	Trustee Lopez-Maddox _____
Trustee Christensen _____	Trustee Winsten _____
	Trustee Bryson _____

23. **NEWHART MPR EXPANSION:** Review of information regarding the expansion of Newhart Middle School’s multi-purpose room.
(Supporting Information)
Contact: Ron Lebs, Deputy Superintendent, Business & Support Services
- INFORMATION/
DISCUSSION
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V. ADJOURNMENT

**THE NEXT REGULAR MEETING OF THE GOVERNING BOARD WILL BE HELD ON
TUESDAY, JULY 13, 2010, 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

VII. CLOSED SESSION

24. Closed Session (as authorized by law)

- A. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
Significant Exposure to Litigation – One Case
Pacifica San Juan Homeowners Association CFD 98-1A
(Pursuant to Government Code §54956.9{b}{1})
- B. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
Anticipated Litigation – One potential Case
Certificated Employee v. Capistrano Unified School District
(Pursuant to Government Code §54956.9{b})
- C. CONFERENCE WITH LEGAL COUNSEL–EXISTING LITIGATION
Number of cases: Three Cases
(Pursuant to Government Code §54956.9{a})
- Case No. 1
Superior Court of the State of California
County of Orange
Case No. 00300788
Whispering Hills LLC v. Capistrano Unified School District
- Case No. 2
Superior Court of the State of California
County of Orange – Central Justice Center
Case No. 00180049
Petition for Writ of Mandate Pursuant to the California Environmental
Quality Act (CEQA), Public Resources Code Section 21000, et seq.
City of Mission Viejo, a municipal corporation v. CUSD
- Case No. 3
Superior Court of the State of California
County of Orange – Central Justice Center
Case No. 00207543
Petition for Writ of Mandate Pursuant to the California Environmental
Quality Act (CEQA), Public Resources Code Section 21000, et seq.
City of Rancho Santa Margarita, a municipal corporation, v. CUSD
- D. CONFERENCE WITH CHIEF LABOR NEGOTIATOR
Agency designated representative:
Anthony DeMarco, Chief Labor Negotiator
Employee Organization:
1) Capistrano School Employees Association (CSEA)
2) Unrepresented Employees (CUMA)
3) Teamsters
(Pursuant to Government Code §54957.6)
- E. STUDENT EXPULSIONS – Items E-1 through E-4
Deliberation of Administration Panel’s
Findings of Fact and Recommendation.
(Pursuant to Education Code §48918(c) and §35145)
- F. PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE
(Pursuant to Government Code §54957)
- G. PUBLIC EMPLOYEE APPOINTMENT/EMPLOYMENT
1) Manager, Maintenance & Operations
(Pursuant to Government Code §54957)