

Regular Meeting
CAPISTRANO UNIFIED SCHOOL DISTRICT
BOARD OF TRUSTEES

33122 Valle Road
San Juan Capistrano, CA 92675

August 10, 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
Alison Etter—Edison Scholar

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 #27– Community Facilities Districts (CFD) 2005-1 Whispering Hills (continued).

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 July 13, 2010, Regular Board Meeting.
(Supporting Information)
Contact: Jane Boos, Manager, Board Office Operations 1

CURRICULUM & INSTRUCTION

2. SPECIAL EDUCATION: Approval, nonpublic school and agency contracts.
(Supporting Information)
Contact: Candy Miller, Special Education Consultant 7
3. MEMORANDUM OF UNDERSTANDING: Approval, Memorandum of Understanding between Orange County Superintendent of Schools and Capistrano Unified School District.
(Supporting Information)
Contact: Candy Miller, Special Education Consultant 17
4. EXPULSION READMISSION: Approval, readmission of a student from expulsion.
(Supporting Information)
Contact: Julie Hatchel Assistant Superintendent, Education 39
5. MEMORANDUM OF UNDERSTANDING: Approval, CELDT Search Memorandum of Understanding.
(Supporting Information)
Contact: Julie Hatchel Assistant Superintendent, Education 41
6. PRESCHOOL CONTRACT: Approval, Resolution No. 1011-03, Acceptance of 2010-2011 California State Funded Preschool Contract.
(Supporting Information)
Contact: Julie Hatchel Assistant Superintendent, Education 47
7. CATEGORICAL AID PROGRAMS: Approval, 2010-2011 Consolidated Application for Funding Categorical Aid Programs, Part I.
(Supporting Information)
Contact: Julie Hatchel Assistant Superintendent, Education 49

BUSINESS & SUPPORT SERVICES

8. PURCHASE ORDERS/WARRANTS/CONSULTING AGREEMENTS: Approval, Purchase Orders/Warrants/Consultant Agreements.
(Supporting Information)
Contact: Ron Lebs, Deputy Superintendent, Business & Support Services 51
9. DONATIONS: Approval, donations of funds/equipment.
(Supporting Information)
Contact: Ron Lebs, Deputy Superintendent, Business & Support Services 119

10.	OBSOLETE MATERIALS: Approval, authorization to sell obsolete and unusable district materials. (Supporting Information) <i>Contact: Ron Lebs, Deputy Superintendent, Business & Support Services</i>	121
11.	CFD 87-1: Approval, Resolution No. 1011-05, Authorizing and Providing for the Levy of a Special Tax within Community Facilities District (CFD) 87-1, Mission Viejo/Aliso Viejo, for Fiscal Year 2010-11. (Supporting Information) <i>Contact: Ron Lebs, Deputy Superintendent, Business & Support Services</i>	123
12.	CFD 88-1: Approval, Resolution No. 1011-06, Authorizing and Providing for the Levy of a Special Tax within Community Facilities District (CFD) 88-1, Rancho Santa Margarita, for Fiscal Year 2010-11. (Supporting Information) <i>Contact: Ron Lebs, Deputy Superintendent, Business & Support Services</i>	131
13.	CFD 90-2: Approval, Resolution No. 1011-07, Authorizing and Providing for the Levy of a Special Tax within Community Facilities District (CFD) 90-2, Talega, for Fiscal Year 2010-11. (Supporting Information) <i>Contact: Ron Lebs, Deputy Superintendent, Business & Support Services</i>	139
14.	CFD 90-2: Approval, Resolution No. 1011-08, Authorizing and Providing for the Levy of a Special Tax within Improvement Area No. 2002-1 of Community Facilities District (CFD) 90-2, Talega, for Fiscal Year 2010-11. (Supporting Information)	147
15.	CFD 92-1: Approval, Resolution No. 1011-09, Authorizing and Providing for the Levy of a Special Tax within Community Facilities District (CFD) 92-1, Las Flores, for Fiscal Year 2010-11. (Supporting Information) <i>Contact: Ron Lebs, Deputy Superintendent, Business & Support Services</i>	155
16.	CFD 94-1: Approval, Resolution No. 1011-10, Authorizing and Providing for the Levy of a Special Tax within Community Facilities District (CFD) 94-1, Rancho Santa Margarita, for Fiscal Year 2010-11. (Supporting Information) <i>Contact: Ron Lebs, Deputy Superintendent, Business & Support Services</i>	163
17.	CFD 98-1A: Approval, Resolution No. 1011-11, Authorizing and Providing for the Levy of a Special Tax within Community Facilities District (CFD) 98-1A, Pacifica San Juan, for Fiscal Year 2010-11. (Supporting Information) <i>Contact: Ron Lebs, Deputy Superintendent, Business & Support Services</i>	171
18.	CFD 98-2: Approval, Resolution No. 1011-12, Authorizing and Providing for the Levy of a Special Tax within Community Facilities District (CFD) 98-2, Ladera, for Fiscal Year 2010-11. (Supporting Information) <i>Contact: Ron Lebs, Deputy Superintendent, Business & Support Services</i>	179
19.	CFD 2004-1: Approval, Resolution No. 1011-13, Authorizing and Providing for the Levy of a Special Tax within Community Facilities District (CFD) 2004-1, Rancho Madrina, for Fiscal Year 2010-11. (Supporting Information) <i>Contact: Ron Lebs, Deputy Superintendent, Business & Support Services</i>	187

- 20. PIZZA SERVICE: Approval, extension of Bid No. 0809-03, Pizza Service, PJ of Orange County One dba Papa John’s Pizza. 195
 (Supporting Information)
Contact: Ron Lebs, Deputy Superintendent, Business & Support Services

- 21. BAKERY PRODUCTS: Approval, extension of Bid No. 0910-06, Bakery Products, David Castaneda Distributing. 199
 (Supporting Information)
Contact: Ron Lebs, Deputy Superintendent, Business & Support Services

- 22. SCHOOL AND OFFICE FURNITURE: Approval, authorization to utilize Newport-Mesa Unified School District Bid No. 106-10, School and Office Furniture. 209
 (Supporting Information)
Contact: Ron Lebs, Deputy Superintendent, Business & Support Services

- 23. VENDING AND BEVERAGE SERVICE: Approval, extension of Bid No. 0708-08, Vending and Beverage Service Districtwide. 211
 (Supporting Information)
Contact: Ron Lebs, Deputy Superintendent, Business & Support Services

- 24. SNACK VENDING SERVICE: Approval, extension of RFP No. 4-0809, Snack Vending Service Districtwide. 221
 (Supporting Information)
Contact: Ron Lebs, Deputy Superintendent, Business & Support Services

PERSONNEL SERVICES

- 25. RESIGNATIONS/RETIREMENTS/EMPLOYMENT: Approval, classified personnel. 229
 (Supporting Information)
Contact: Jodee Brentlinger, Assistant Superintendent, Personnel

- 26. RESIGNATIONS/RETIREMENTS/EMPLOYMENT: Approval, certificated personnel. 243
 (Supporting Information)
Contact: Jodee Brentlinger, Assistant Superintendent, Personnel

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

- 27. **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) or other action in regard thereto. Resolution No. 1011-05.
(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 _____

- 28. **COMMUNITY FACILITIES DISTRICTS:** Consideration and approval, 2010-11 Fiscal Year Budgets for Community Facilities Districts.
(Supporting Information)
Contact: Ron Lebs, Deputy Superintendent, Business & Support Services

DISCUSSION/
ACTION
Vote _____
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Motion by _____ Seconded by _____

- 29. **HIGH SCHOOL PILOT COURSE:** Consideration and approval, Financial Algebra, high school pilot course for 2010-11 school year.
(Supporting Information)
Contact: Julie Hatchel Assistant Superintendent, Education

DISCUSSION/
ACTION
Vote _____
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Motion by _____ Seconded by _____

- 30. **ITEM PULLED ON 8-5-10**
~~**BOARD POLICY REVISION:** Consideration and approval, second reading of revisions to Board Policy 6146.1, *High School Graduation Requirements*.~~
(Supporting Information)
~~*Contact: Julie Hatchel, Assistant Superintendent, Education*~~

DISCUSSION/
ACTION
Vote _____
Page 287

Motion by _____ Seconded by _____

- 31. **DIVISION OF STATE ARCHITECT:** Update of progress of the Division of State Architect Project listing, work schedule and priorities.
(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, SEPTEMBER 14, 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

VI. CLOSED SESSION

32. Closed Session (as authorized by law)

A. 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

B. STUDENT EXPULSIONS – Items B-1 through B-5

Deliberation of Administration Panel's

Findings of Fact and Recommendation.

(Pursuant to Education Code §48918(c) and §35145)

C. CONFERENCE WITH LABOR NEGOTIATOR

Agency designated representative:

Jodee Brentlinger

Employee Organization:

Capistrano School Employees Association (CSEA)

(Pursuant to Government Code §54957.6)

D. PUBLIC EMPLOYEE APPOINTMENT/EMPLOYMENT

High School Activities Director

Program Specialist

Supervisor, Autism Specialist (IBI)

(Pursuant to Government Code §54957)