

CAPISTRANO UNIFIED SCHOOL DISTRICT  
BOARD OF TRUSTEES  
MINUTES – REGULAR MEETING  
JULY 13, 2010  
EDUCATION CENTER – BOARD ROOM

President Bryson called the meeting to order at 5:30 p.m. and announced that in the absence of Chief Negotiator Anthony DeMarco, Jodee Brentlinger would update Trustees regarding current negotiations. The Board recessed to closed session to: confer with Legal Counsel regarding Anticipated Litigation-Significant Exposure to Litigation (one case); confer with Legal Counsel regarding Existing Litigation (three cases); discuss Level 4 Parent Appeals (three cases); discuss Student Expulsions (nine cases); discuss CSEA negotiations; discuss Public Employee Discipline/Dismissal/Release; and discuss Public Employee Appointment/Employment.

The Regular Meeting of the Board reconvened to open session and was called to order by President Bryson at 7:00 p.m.

The Pledge of Allegiance was led by Trustee Lopez-Maddox.

Present: Trustees Addonizio, Brick, Bryson, Christensen, Lopez-Maddox, Palazzo, and Winsten

**A CD of the Board meeting discussion related to each of the items on the public agenda is on file in the Superintendent's Office as a matter of the permanent record. An audio recording of the meeting is available on the District website: [www.capousd.org](http://www.capousd.org)** **Permanent Record**

It was moved by Trustee Addonizio, seconded by Trustee Brick, and carried by a 7-0 vote to adopt the Board agenda. **Adoption of the Board Agenda**

President Bryson reported the following action taken during closed session: **President's Report From Closed Session Meeting**

**Agenda Item #29 A – Conference with Legal Counsel – Significant Exposure to Litigation:** Pacifica San Juan Homeowners Association CFD 98-1A. No action was taken.

**Agenda Item #29 B-1 – Conference with Legal Counsel – Existing Litigation:** Whispering Hills LLC v. Capistrano Unified School District. No action was taken.

**Agenda Item #29 B-2 & 3 - Conference with Legal Counsel – Existing Litigation:** City of Mission Viejo v. CUSD and City of Rancho Santa Margarita v. CUSD. No action was taken.

**Agenda Item #29 C-1 – Level 4 Parent Appeal:** No action taken.

**Agenda Item #29 C-2 – Level 4 Parent Appeal:** The Board voted by a 7-0 vote to reverse staff recommendations.

AYES: Trustees Addonizio, Brick, Bryson, Christensen, Lopez-Maddox, Palazzo, and Winsten  
NOES: None

**Agenda Item #29 C-3 – Level 4 Parent Appeal:** The Board voted by a 7-0 vote to have the Superintendent review this matter further.

AYES: Trustees Addonizio, Brick, Bryson, Christensen, Lopez-Maddox, Palazzo, and Winsten  
NOES: None

**Agenda Item #29 D1 – D5 and D7 – D9 - Student Expulsions:** The Board voted by a 7-0 vote to expel the following students by stipulated agreement: Case #2010-117, 2010-125, 2010-126, 2010-127, 2010-128, 2010-130, 2010-131, and 2010-132.

AYES: Trustees Addonizio, Brick, Bryson, Christensen, Lopez-Maddox, Palazzo, and Winsten  
NOES: None

**Agenda Item #29 D6 - Student Expulsion:** The Board voted by a 7-0 vote to expel the following student with staff recommendations: Case #2010-119

AYES: Trustees Addonizio, Brick, Bryson, Christensen, Lopez-Maddox, Palazzo, and Winsten  
NOES: None

**Agenda Item 29 E – Negotiations: CSEA:** No action was taken.

**Agenda Item 29 F – Public Employee Discipline/Dismissal/Release:** No action was taken.

**Agenda Item 29 G – Public Employee Appointment/Employment— Administrative Assignment:**

The Board voted by a 7-0 vote to approve the appointment of Marcus Walton as Chief Communications Officer.

AYES: Trustees Addonizio, Brick, Bryson, Christensen, Lopez-Maddox, Palazzo, and Winsten  
NOES: None

Graduate Erin Davis received special district recognition for achieving perfect attendance kindergarten through 12<sup>th</sup> grade.

**Special Recognition**

President Bryson welcomed Dr. Farley as the new Superintendent.

**Board and Superintendent Comments**

There were no speakers.

**Oral Communications**

President Bryson asked Trustees for items they wished to pull from the Consent Calendar. Agenda Item 9 was pulled for further discussion. Agenda Items 5 and 6 were pulled and will be discussed at a future meeting.

**Items Pulled from the Consent Calendar**

## **CONSENT CALENDAR**

It was moved by Trustee Addonizio, seconded by Trustee Brick, and motion carried unanimously to approve the following Consent Calendar items:

Minutes of the June 29, 2010, Regular Board Meeting.

**Minutes  
Agenda Item 1**

Nonpublic school and agency contracts.

**Special Education  
Agenda Item 2**

Expunging of expulsion record: Case #2009-056

**Expunging of  
Expulsion Record  
Agenda Item 3**

School Mobile Assessment Resource Team (SMART) Memorandum of Understanding.	<b>SMART MOU Agenda Item 4</b>
Purchase Orders/Warrants/Consulting Agreements as listed.	<b>Purchase Orders/ Warrants/ Consulting Agreements Agenda Item 7</b>
Donations of funds and equipment.	<b>Donations Agenda Item 8</b>
Authorization to sell obsolete and unusable miscellaneous district materials.	<b>Obsolete Materials Agenda Item 10</b>
Advertise for Bid No. 1011-07, Co-Curricular Bus Service.	<b>Bus Service Agenda Item 11</b>
Multi-District Cooperative Bid No. 114-10, Fuel (Gasoline and Diesel), IPC (USA), Inc.	<b>Fuel Agenda Item 12</b>
Resignations, retirements, and employment of classified personnel.	<b>Resignations/ Retirements/ Employment (Classified Personnel) Agenda Item 13</b>
Resignations, retirements, and employment of certificated personnel.	<b>Resignations/ Retirements/ Employment (Certificated Personnel) Agenda Item 14</b>
Fourth Quarter Williams Uniform Complaints Report.	<b>Williams Settlement Agenda Item 15</b>
Declaration of need for Fully Qualified Educators.	<b>Qualified Educators Declaration Agenda Item 16</b>
Intern program participation agreements.	<b>Intern Program Agenda Item 17</b>
Student Teacher Agreement with Northern Arizona University.	<b>Student Teaching Agreement Agenda Item 18</b>
Student Teacher Agreement with California State University, Long Beach.	<b>Student Teaching Agreement Agenda Item 19</b>
Employment contract, Executive Director, Secondary Schools, Adult & Alternative Education.	<b>Employment Contract Agenda Item 20</b>

ROLL CALL: AYES: Trustees Addonizio, Brick, Bryson, Christensen, Lopez-Maddox, Palazzo, and Winsten  
NOES: None  
ABSENT: None  
ABSTAIN: None

Revisions to the 2010-11 School Calendar. This item was pulled and will be discussed at a future Board meeting.

**2010-11 School  
Calendar Revisions  
Agenda Item 5**

Adoption of the proposed 2011-12 School Calendar. This item was pulled and will be discussed at a future Board meeting.

**2011-12 School  
Calendar  
Agenda Item 6**

President Bryson recognized Trustee Christensen who had pulled this item for discussion. Trustee Christensen expressed his concern regarding the commission fees. Deputy Superintendent Ron Lebs clarified the fees for Trustees.

**Listing Agreement  
Agenda Item 9**

Following discussion, it was moved by Trustee Lopez-Maddox, seconded by Trustee Brick, and carried by a 6-1 vote to approve the extension of the listing agreement with Grubb & Ellis to lease vacant office space in Building C of the district office.

AYES: Trustees Addonizio, Brick, Bryson, Lopez-Maddox, Palazzo, and Winsten

NOES: Trustee Christensen

### **DISCUSSION/ACTION**

President Bryson announced the Public Hearing open at 7:15 p.m. regarding the approval of Resolution No. 1011-02, consideration of reducing special taxes of Community Facilities District 2005-1, Whispering Hills or other action in regard thereto.

**Public Hearing:  
CFD 2005-1  
Agenda Item 21**

The following speaker addressed the Board:

- *John Novak asked Trustees to settle the dispute with Whispering Hills and stop the delays to completing the San Juan Hills High School facilities.*

President Bryson recognized Deputy Superintendent Ron Lebs who asked the Board to continue this Public Hearing to the August 10, 2010, Board meeting.

It was moved by Trustee Brick, seconded by Trustee Lopez-Maddox, and carried unanimously to approve Resolution No. 1011-02, entitled "Resolution of the Board of Trustees of the Capistrano Unified School District, Acting as the Legislative Body of Community Facilities District No. 2005-1 of the Capistrano Unified School District (Whispering Hills), Continuing Public Hearing for Consideration of Request to Alter the Rate and Method of Apportionment and Reduce the Levy of Special Taxes Within Community Facilities District No. 2005-1 of the Capistrano Unified School District."

ROLL CALL AYES: Trustees Addonizio, Brick, Bryson, Christensen, Lopez-Maddox, Palazzo, and Winsten  
NOES: None  
ABSENT: None  
ABSTAIN: None

President Bryson recognized Superintendent Farley who stated that staff is recommending the recall election be scheduled for November 2 to consolidate it with the general election to reduce election costs to the district.

**Recall Election  
Agenda Item 22**

The following speaker addressed the Board:

- *Gail Benda encouraged Trustees to select the date of November 2 to hold the recall election to save the district money.*

It was moved by Trustee Winsten, seconded by Trustee Lopez-Maddox, and carried unanimously to approve Resolution No. 1011-01, Order Calling for a Recall Election and the selection of Tuesday, November 2, 2010, for the recall election.

ROLL CALL AYES: Trustees Addonizio, Brick, Bryson, Christensen, Lopez-Maddox, Palazzo and Winsten  
NOES: None  
ABSENT: None  
ABSTAIN: None

This item was pulled off the agenda listing on July 8, 2010, after posting, at the request of the Community Roots Academy Charter School. Staff will bring this item back to a future Board meeting.

**Community Roots Academy**  
Agenda Item 23

President Bryson recognized Deputy Superintendent Ron Lebs who provided background information and challenges of removing a wall for the expansion of the MPR. Superintendent Farley stated that he had visited Newhart and saw the need for a larger facility for meetings, functions, and events. Superintendent Farley commented that CFD funds are available to cover the costs of the improvement.

**Newhart MPR Expansion**  
Agenda Item 24

Following discussion, it was moved by Trustee Winsten, seconded by Trustee Lopez-Maddox, and carried unanimously to approve Option A, Expand MPR into the Library.

President Bryson recognized Assistant Superintendent Julie Hatchel who explained that this pilot course would be a new science elective at Dana Hills High School and will be self-funded by the Dolphin Force Foundation. If approved, Mrs. Hatchel will provide a course progress update two months after school starts and bring the course back to the Board for consideration at the end of the school year.

**High School Pilot Course**  
Agenda Item 25

It was moved by Trustee Addonizio, seconded by Trustee Winsten, and carried unanimously to approve piloting the Biotechnology course during the 2010-2011 school year at Dana Hills High School.

Staff was directed to correct the transmittal page to agree with the policy, clarify the intent that students may take more than one class, and bring this item back to the August 10 Board meeting for a second reading.

**Board Policy Revision**  
Agenda Item 26

It was moved by Trustee Palazzo, seconded by Trustee Lopez-Maddox, and motion carried unanimously to approve revisions to Board Policy 6146.1, *High School Graduation Requirements*, first reading as a directive vote.


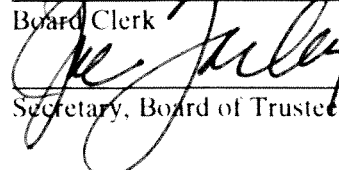
It was moved by Trustee Lopez-Maddox, seconded by Trustee Brick, and motion carried unanimously to approve revisions to Board Policy 4112.61, 4212.61, and 4312.61, *Employment References*, and to waive the second reading.

**Board Policy Revision**  
Agenda Item 27

President Bryson recognized Deputy Superintendent Ron Lebs who provided updates of the progress of Division of State Architect (DSA) project listing, work schedule, and priorities. Mr. Lebs reported that the Capistrano Valley High School (CVHS) and Dana Hills High School (DHHS) theater projects have received DSA approval. CVHS also received approval from the Department of Education but DHHS is still going through the CEQA process. Mr. Lebs stated his intent, if documents are prepared in time, to bring the CVHS theater bid package to the August 10 Board meeting for Board approval.

**Division of State Architect (DSA)**  
Agenda Item 28

The meeting adjourned at 7:40 p.m.

  
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Board Clerk  
  
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Secretary, Board of Trustees