

Regular Meeting

CAPISTRANO UNIFIED SCHOOL DISTRICT
BOARD OF TRUSTEES

33122 Valle Road
San Juan Capistrano, CA 92675

April 11, 2011

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:

Jack R. Brick, President

Dr. Gary Pritchard, Vice President

John Alpay, Clerk

Ellen M. Addonizio, Member

Anna Bryson, Member

Lynn Hatton, Member

Sue Palazzo, Member

Larson Ishii, Student Advisor

Present

Absent

CLOSED SESSION COMMENTS

CLOSED SESSION

6:00 p.m.

REPORT ON CLOSED SESSION ACTION

SPECIAL RECOGNITIONS

Sita Helms-CUSD Volunteer and Executive Director, Helping Hands Worldwide

Ryan Norgren and Student Photographers

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 #54 – 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. 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 March 8, 2011, regular Board meeting, minutes of the March 14, March 16, and March 23, 2011, special Board meetings.
(Supporting Information)
Contact: Jane Boos, Manager, Board Office Operations 1
2. 2011 SCHOOL BOARD MEETING SCHEDULE REVISED: Approval, revised 2011 School Board Meeting Schedule.
(Supporting Information)
Contact: Joseph M. Farley, Superintendent 19
3. SCHOOL BOARD MEETING SCHEDULE: Approval, School Board Meeting Schedule for the period January through June 2012.
(Supporting Information)
Contact: Joseph M. Farley, Superintendent 23

CURRICULUM & INSTRUCTION

4. EXPUNGING OF EXPULSION RECORD: Approval, expunging of a student expulsion record.
(Supporting Information)
Contact: Julie Hatchel, Assistant Superintendent, Education Services 27
5. CALIFORNIA HIGH SCHOOL EXIT EXAM: Approval, petition to waive California Education Code §60851(c)/Board Policy 6162.52—California High School Exit Exam: Case #1011-014 through 1011-020.
(Supporting Information)
Contact: Julie Hatchel, Assistant Superintendent, Education Services 29
6. OUTDOOR SCIENCE SCHOOL PARTICIPATION: Approval, student participation in outdoor education activities, traveling scientist, and field programs offered by the Orange County Department of Education.
(Supporting Information)
Contact: Julie Hatchel, Assistant Superintendent, Education Services 31
7. EARLY INTERVENTION FOR SCHOOL SUCCESS GRANT: Approval, Early Intervention for School Success Grant application for Chaparral Elementary School.
(Supporting Information)
Contact: Julie Hatchel, Assistant Superintendent, Education Services 33
8. AGREEMENT TO REFER STUDENTS TO ACCESS: Approval, Agreement to Refer Students to the Orange County Department of Education ACCESS program.
(Supporting Information)
Contact: Julie Hatchel, Assistant Superintendent, Education Services 59

9. YMCA STRUCTURED SPORTS PROGRAM PARTICIPATION: Approval, Castille Elementary School student participation in the structured sports program offered by the YMCA of Orange County South Coast. 63
 (Supporting Information)
Contact: Julie Hatchel, Assistant Superintendent, Education Services

BUSINESS & SUPPORT SERVICES

10. PURCHASE ORDERS/WARRANTS: Approval, purchase orders, warrants , and bids. 65
 (Supporting Information)
Contact: Ron Lebs, Deputy Superintendent, Business & Support Services
11. DONATIONS: Approval, donations of funds and equipment. 125
 (Supporting Information)
Contact: Ron Lebs, Deputy Superintendent, Business & Support Services
12. MICROSOFT SOFTWARE DONATION: Approval, acceptance of donation in Microsoft software licensing to support the expansion of the SharePoint Professional Learning Community project. 129
 (Supporting Information)
Contact: Ron Lebs, Deputy Superintendent, Business & Support Services
13. CLAIM DENIAL: Approval, denial of Government Claim #10-87596DP. 131
 (Supporting Information)
Contact: Jodee Brentlinger, Assistant Superintendent, Personnel Services
14. DELEGATION OF AUTHORITY: Approval, Resolution 1011-45, Delegating Authority to the Superintendent to Enter into Change Orders Not to Exceed \$25,000 on Behalf of the District. 135
 (Supporting Information)
Contact: Ron Lebs, Deputy Superintendent, Business & Support Services
15. ORANGE COUNTY HEALTH CARE AGENCY AGREEMENT: Approval, Orange County Health Care Agency Agreement with CUSD for Continuation of AB 3632 Mental Health Services for Special Education Students. 139
 (Supporting Information)
Contact: Ron Lebs, Deputy Superintendent, Business & Support Services
16. INCOME AGREEMENT: Approval, Income Agreement with OCDE to provide interpreter training sessions to District staff and educational interpreters. 151
 (Supporting Information)
Contact: Ron Lebs, Deputy Superintendent, Business & Support Services
17. MASTER CONTRACT: Approval, master contract for special education services to be provided by Heritage School, a non-public school. 159
 (Supporting Information)
Contact: Ron Lebs, Deputy Superintendent, Business & Support Services
18. PREVIOUSLY ANTICIPATED BID ALTERNATES AND CHANGE ORDERS FOR SAN JUAN HILLS HIGH SCHOOL 30-METER POOL/SUPPORT BUILDINGS: Approval, Bid No. 1011-9, change order Nos. 1 & 2 for the San Juan Hills High School 30-meter pool. 195
 (Supporting Information)
Contact: Ron Lebs, Deputy Superintendent, Business & Support Services

19. CONTENT LICENSE AND SERVICE AGREEMENT: Approval, Content License and Service Agreement with Intel-Assess. 197
 (Supporting Information)
Contact: Ron Lebs, Deputy Superintendent, Business & Support Services
20. STATEMENT OF WORK AGREEMENT: Approval, Statement of Work Agreement for Sharepoint 2010 forms and workflow assessment. 213
 (Supporting Information)
Contact: Ron Lebs, Deputy Superintendent, Business & Support Services
21. STATEMENT OF WORK AGREEMENT: Approval, Statement of Work Agreement for Information Technology Efficient Enterprise Assessment. 229
 (Supporting Information)
Contact: Ron Lebs, Deputy Superintendent, Business & Support Services
22. SERVICES AND SUPPORT AGREEMENT: Approval, Services and Support Agreement, Quintessential School Systems. 249
 (Supporting Information)
Contact: Ron Lebs, Deputy Superintendent, Business & Support Services
23. CONTRACT RENEWAL: Approval, renewal of the Workers Compensation Third Party Administration Services contract with CorVel Corporation for 2011-2012. 263
 (Supporting Information)
Contact: Ron Lebs, Deputy Superintendent, Business & Support Services
24. INDEPENDENT CONTRACTOR AGREEMENT: Approval, Insurance Broker Services for Excess Workers' Compensation Insurance, Keenan Associates. 295
 (Supporting Information)
Contact: Ron Lebs, Deputy Superintendent, Business & Support Services
25. INDEPENDENT CONTRACTOR AGREEMENT: Approval, assistive technology services for District students, Goodwill Industries of Orange County/Assistive Technology Exchange Center. 311
 (Supporting Information)
Contact: Ron Lebs, Deputy Superintendent, Business & Support Services
26. INDEPENDENT CONTRACTOR AGREEMENT: Approval, health and nutrition assemblies at Las Palmas and R.H. Dana elementary schools, FoodPlay Productions, LLC. 321
 (Supporting Information)
Contact: Ron Lebs, Deputy Superintendent, Business & Support Services
27. INDEPENDENT CONTRACTOR AGREEMENT: Approval, student personal safety lectures, Get Safe. 331
 (Supporting Information)
Contact: Ron Lebs, Deputy Superintendent, Business & Support Services
28. INDEPENDENT CONTRACTOR AGREEMENT: Approval, math instruction training, Valerie Henry. 341
 (Supporting Information)
Contact: Ron Lebs, Deputy Superintendent, Business & Support Services
29. INDEPENDENT CONTRACTOR AGREEMENT: Approval, physical education program at Wagon Wheel Elementary School, Skyhawks Sports Academy, Inc. 351
 (Supporting Information)
Contact: Ron Lebs, Deputy Superintendent, Business & Support Services

30. INDEPENDENT CONTRACTOR AGREEMENT: Approval, speech language pathology services, Hill Rehabilitation Services, LLC. 363
(Supporting Information)
Contact: Ron Lebs, Deputy Superintendent, Business & Support Services
31. INDEPENDENT CONTRACTOR AGREEMENT: Approval, health services for District students, Maxim Healthcare Services. 375
(Supporting Information)
Contact: Ron Lebs, Deputy Superintendent, Business & Support Services
32. INDEPENDENT CONTRACTOR AGREEMENT: Approval, appraisal services, Harris Realty Appraisal. 387
(Supporting Information)
Contact: Ron Lebs, Deputy Superintendent, Business & Support Services
33. MANDATED COSTS REIMBURSEMENT CONTRACT: Approval, three-year agreement for mandated costs services, School Innovations & Advocacy, Inc. 405
(Supporting Information)
Contact: Ron Lebs, Deputy Superintendent, Business & Support Services
34. AWARD OF RFQ NO. 6-1011: Approval, award of Request for Qualification (RFQ) No. 6-1011, Special Tax Consulting Services for Public Financing, David Taussig & Associations. 421
(Supporting Information)
Contact: Ron Lebs, Deputy Superintendent, Business & Support Services
35. ADVERTISE RFQ NO. 8-1011: Approval, advertise for Request for Qualification (RFQ) No. 8-1011, Financial Advisory Services. 425
(Supporting Information)
Contact: Ron Lebs, Deputy Superintendent, Business & Support Services
36. ADVERTISE RFQ NO. 9-1011: Approval, advertise for Request for Qualification (RFQ) No. 9-1011, Demographic Consultant Services. 447
(Supporting Information)
Contact: Ron Lebs, Deputy Superintendent, Business & Support Services
37. ADVERTISE BID NO. 1112-02: Approval, authorization to advertise Bid No. 1112-02, Service to Collect, Recycle, and Dispose of Solid Waste Districtwide. 471
(Supporting Information)
Contact: Ron Lebs, Deputy Superintendent, Business & Support Services
38. ADVERTISE BID NO. 1112-03: Approval, authorization to advertise Bid No. 1112-03, Bakery Products. 473
(Supporting Information)
Contact: Ron Lebs, Deputy Superintendent, Business & Support Services
39. ADVERTISE BID NO. 1112-04: Approval, authorization to advertise Bid No. 1112-04, Outsource Transportation Service. 475
(Supporting Information)
Contact: Ron Lebs, Deputy Superintendent, Business & Support Services
40. PROPOSED MEAL PRICE INCREASES: Approval, meal price increases for the 2011-2012 school year. 477
(Supporting Information)
Contact: Ron Lebs, Deputy Superintendent, Business & Support Services

PERSONNEL SERVICES

- 41. RESIGNATIONS/RETIREMENTS/EMPLOYMENT: Approval, classified personnel. 481
(Supporting Information)
Contact: Jodee Brentlinger, Assistant Superintendent, Personnel

- 42. RESIGNATIONS/RETIREMENTS/EMPLOYMENT: Approval, certificated personnel. 495
(Supporting Information)
Contact: Jodee Brentlinger, Assistant Superintendent, Personnel

- 43. WILLIAMS SETTLEMENT: Approval, third quarter site review report on complaints relative to the Williams Settlement Uniform Complaint Procedure, 2010-2011 school year. 511
(Supporting Information)
Contact: Jodee Brentlinger, Assistant Superintendent, Personnel

- 44. MASTER TEACHER PAYMENT: Approval, final payment to master teachers who supervised student teachers during the first semester for the 2010-2011 school year. 515
(Supporting Information)
Contact: Jodee Brentlinger, Assistant Superintendent, Personnel

- 45. STUDENT TEACHING AGREEMENT: Approval, student teaching agreement with the California State University, Fullerton, Cal State Teach Program. 517
(Supporting Information)
Contact: Jodee Brentlinger, Assistant Superintendent, Personnel

Motion by _____ Seconded by _____

ROLL CALL:

Student Advisor Larson Ishii _____

Trustee Addonizio _____

Trustee Alpay _____

Trustee Bryson _____

Trustee Hatton _____

Trustee Palazzo _____

Trustee Pritchard _____

Trustee Brick _____

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

- 46. **ROLE OF BOARD: POWERS AND RESPONSIBILITIES:** Approval, Resolution No. 1011-48, reaffirmation of the statement regarding the Role of the Board: Powers and Responsibilities. DISCUSSION/
(Supporting Information) ACTION
Contact: Joseph M. Farley, Superintendent Vote _____
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Motion by _____ Seconded by _____

ROLL CALL:

Student Advisor Larson Ishii _____

Trustee Addonizio _____

Trustee Alpay _____

Trustee Bryson _____

Trustee Hatton _____

Trustee Palazzo _____

Trustee Pritchard _____

Trustee Brick _____

47. **SAN JUAN ELEMENTARY SCHOOL:** Report and presentation concerning the 160th anniversary of San Juan Elementary School.
(Supporting Information)
Joseph M. Farley, Superintendent

INFORMATION/
DISCUSSION
Page 527

48. **PROPOSED INDEPENDENT STUDY HIGH SCHOOL:** Consideration and approval, establishment of an independent study high school.
(Supporting Information)
Julie Hatchel, Assistant Superintendent, Education Services

DISCUSSION/
ACTION
Vote _____
Page 529

Motion by _____ Seconded by _____

49. **PROPOSED 2011-2012 SCHOOL CALENDAR:** Approval, proposed 2011-2012 School Calendar.
(Supporting Information)
Contact: Julie Hatchel, Assistant Superintendent, Education Services

DISCUSSION/
ACTION
Vote _____
Page 537

Motion by _____ Seconded by _____

50. **CSEA/CUSD CONTRACT REOPENER PROPOSAL:** Consideration and approval, CUSD contract reopener proposal with CSEA for the 2011-2012 school year.
(Supporting Information)
Contact: Jodee Brentlinger, Assistant Superintendent, Personnel Services

DISCUSSION/
ACTION
Vote _____
Page 541

Motion by _____ Seconded by _____

51. **CUEA CONTRACT REOPENER PROPOSALS:** Consideration and approval, CUSD/CUEA contract reopener proposals for the 2011-2012 school year.
(Supporting Information)
Contact: Jodee Brentlinger, Assistant Superintendent, Personnel Services

DISCUSSION/
ACTION
Vote _____
Page 545

Motion by _____ Seconded by _____

52. **TEAMSTERS/CUSD CONTRACT REOPENER PROPOSAL:** Consideration and approval, CUSD contract reopener proposal with Teamsters for the 2011-2012 school year.
(Supporting Information)
Contact: Jodee Brentlinger, Assistant Superintendent, Personnel Services

DISCUSSION/
ACTION
Vote _____
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Motion by _____ Seconded by _____

53. **IMPLEMENTATION OF CSEA RESTORATION – FURLOUGH DAYS:** Consideration and approval, proposed implementation plan to restore CSEA furlough days.
(Supporting Information)
Contact: Jodee Brentlinger, Assistant Superintendent, Personnel Services

DISCUSSION/
ACTION
Vote _____
Page 555

Motion by _____ Seconded by _____

54. **COMMUNITY FACILITIES DISTRICT NO. 2005-1 (WHISPERING HILLS) - PUBLIC HEARING CONTINUED:** Consideration and approval, Resolution No. 1011-47, Continuing Public Hearing for Consideration of Supplemental Special Tax Revision Proceedings Reducing Special Taxes of CFD 2005-1 (Whispering Hills). (Supporting Information)
Contact: Ron Lebs, Deputy Superintendent, Business & Support Services

DISCUSSION/
 ACTION
 Vote _____
 Page 563

Motion by _____ Seconded by _____

ROLL CALL:

Student Advisor Larson Ishii _____

Trustee Addonizio _____

Trustee Alpay _____

Trustee Bryson _____

Trustee Hatton _____

Trustee Palazzo _____

Trustee Pritchard _____

Trustee Brick _____

55. **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
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V. ADJOURNMENT

THE NEXT REGULAR MEETING OF THE GOVERNING BOARD WILL BE HELD ON WEDNESDAY, APRIL 27, 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

VI. CLOSED SESSION

56. Closed Session (as authorized by law)

- A. PUBLIC EMPLOYEE APPOINTMENT/EMPLOYMENT
 - 1) Assistant Superintendent, SELPA, Special Education Operations
 - 2) Executive Director, Secondary Schools, Adult and Alternative Education Programs
 - 3) Principal(Pursuant to Government Code §54957)

- AA. CONFERENCE WITH LEGAL COUNSEL–EXISTING LITIGATION
 - Superior Court of the State of California
 - County of Orange
 - Case No. 30-2008 00114162
 - CUEA v. CUSD(Pursuant to Government Code §54956.9(a))

- B. 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)

- C. PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE
(Pursuant to Government Code §54957)

- D. STUDENT EXPULSIONS – Items D-1 through D-17
 - Deliberations of Findings of Fact and Recommendations(Pursuant to Education Code §48918(c) and §35145)