

Regular Meeting

CAPISTRANO UNIFIED SCHOOL DISTRICT
BOARD OF TRUSTEES

33122 Valle Road
San Juan Capistrano, CA 92675

October 12, 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	_____	_____
Larson Ishii, Student Advisor	_____	_____

CLOSED SESSION COMMENTS

CLOSED SESSION

5:30 p.m.

REPORT ON CLOSED SESSION ACTION

SPECIAL RECOGNITIONS

*R.H. Dana Elementary School – National Blue Ribbon Award
Tesoro High School, Marco Forster Middle School, San Juan Elementary School, and
Serra High School- API Growth
Student Body President’s Report – Capistrano Valley High School*

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 #22 – Community Facilities Districts (CFD) 2005-1 Whispering Hills**
- PUBLIC HEARING: Agenda Item #23 – Dana Hills High School Performing Arts Facility**
- PUBLIC HEARING: Agenda Item #25 - Instructional Materials Funding Realignment Program**

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 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 September 28, 2010, Special Board Meeting.
(Supporting Information)
Contact: Jane Boos, Manager, Board Office Operations 1
2. ASSISTANCE LEAGUE CONTRACT: Approval, Resolution No. 1011-24, acceptance of 2010-2011 Assistance League Contract for Operation School Bell.
(Supporting Information)
Contact: Marcus Walton, Chief Communication Officer 5
3. ASSISTANCE LEAGUE CONTRACT: Approval, Resolution No. 1011-25, acceptance of 2010-2011 Assistance League Contract for Kids on the Block.
(Supporting Information)
Contact: Marcus Walton, Chief Communication Officer 9
4. ASSISTANCE LEAGUE CONTRACT: Approval, Resolution No. 1011-26, acceptance of 2010-2011 Assistance League Contract for Hands On Literacy Program.
(Supporting Information)
Contact: Marcus Walton, Chief Communication Officer 13
5. ASSISTANCE LEAGUE CONTRACT: Approval, Resolution No. 1011-27, acceptance of 2010-2011 Assistance League Contract for Links to Learning.
(Supporting Information)
Contact: Marcus Walton, Chief Communication Officer 17

CURRICULUM & INSTRUCTION

6. SPECIAL EDUCATION: Approval, nonpublic school and agency contracts.
(Supporting Information)
Contact: Julie Hatchel, Assistant Superintendent, Education Services 21
7. EXPULSION READMISSIONS: Approval, readmission of students from expulsion.
(Supporting Information)
Contact: Julie Hatchel, Assistant Superintendent, Education Services 23
8. CALIFORNIA HIGH SCHOOL EXIT EXAM: Approval, petition to waive California Education Code §60851(c)/Board Policy 6162.52—California High School Exit Exam: Case #1011-001 through 1011-007.
(Supporting Information)
Contact: Julie Hatchel, Assistant Superintendent, Education Services 25

BUSINESS & SUPPORT SERVICES

9. PURCHASE ORDERS/WARRANTS/CONSULTING AGREEMENTS: Approval, purchase orders, warrants, and consultant agreements.
(Supporting Information)
Contact: Ron Lebs, Deputy Superintendent, Business & Support Services 27

10. DONATIONS: Approval, donations of funds/equipment. 69
 (Supporting Information)
Contact: Ron Lebs, Deputy Superintendent, Business & Support Services
11. STATE OF CALIFORNIA MULTIPLE AWARD SCHEDULE (CMAS): Approval, 73
 authorization to utilize Contract No. 3-10-70-2039d, Cisco Auto Distribution,
 Internet Encryption and Firewall, LanWan Wireless Network, Network
 Component, State of California Multiple Award Schedule (CMAS) - Fusionstorm
 (Supporting Information)
Contact: Ron Lebs, Deputy Superintendent, Business & Support Services
12. BREACH OF CONTRACT CLAIM: Approval, denial of Breach of Contract claim. 75
 (Supporting Information)
Contact: Ron Lebs, Deputy Superintendent, Business & Support Services
13. FOOD SERVICE FREEZER: Approval, Acceptance and Notice of Completion Bid No. 79
 0607-11, Food Service Freezer – Financial Pacific Insurance Company.
 (Supporting Information)
Contact: Ron Lebs, Deputy Superintendent, Business & Support Services
14. AUDIT SERVICES: Approval, agreement for audit services – Vavrinek, Trine, Day & 81
 Co., LLP.
 (Supporting Information)
Contact: Ron Lebs, Deputy Superintendent, Business & Support Services
15. OBSOLETE AND UNUSABLE MISCELLANEOUS MATERIALS: Approval, 93
 authorization to sell obsolete and unusable District materials.
 (Supporting Information)
Contact: Ron Lebs, Deputy Superintendent, Business & Support Services

PERSONNEL SERVICES

16. RESIGNATIONS/RETIREMENTS/EMPLOYMENT: Approval, classified 95
 personnel.
 (Supporting Information)
Contact: Jodee Brentlinger, Assistant Superintendent, Personnel
17. RESIGNATIONS/RETIREMENTS/EMPLOYMENT: Approval, certificated 107
 personnel.
 (Supporting Information)
Contact: Jodee Brentlinger, Assistant Superintendent, Personnel
18. WILLIAMS SETTLEMENT LEGISLATION: Approval, annual inspection report 119
 required by the Williams Settlement Legislation for the 2009-2010 school year.
 (Supporting Information)
Contact: Jodee Brentlinger, Assistant Superintendent, Personnel
19. STUDENT TEACHING AGREEMENT: Approval, student teaching agreement with 125
 California State University, Fullerton.
 (Supporting Information)
Contact: Jodee Brentlinger, Assistant Superintendent, Personnel
20. COACHES: Approval, authorization of coaches to provide first semester physical 131
 education credit.
 (Supporting Information)
Contact: Jodee Brentlinger, Assistant Superintendent, Personnel

Motion by _____ Seconded by _____

ROLL CALL:

Student Advisor Larson Ishii _____

Trustee Addonizio _____

Trustee Brick _____

Trustee Christensen _____

Trustee Palazzo _____

Trustee Lopez-Maddox _____

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

- 21. **COMMUNITY EDUCATION:** Update on classes and programs offered through Community Education.
(Supporting Information)
Contact: Julie Hatchel, Assistant Superintendent, Education Services

INFORMATION/
DISCUSSION
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- 22. **COMMUNITY FACILITIES DISTRICT 2005-1 (WHISPERING HILLS) – PUBLIC HEARING:** Consideration and Approval, Resolution No. 1011-23 authorizing the continuance of Public Hearing for consideration of reducing special taxes of Community Facilities District (CFD) 2005-1 (Whispering Hills).
(Supporting Information)
Contact: Ron Lebs, Deputy Superintendent, Business & Support Services

DISCUSSION/
ACTION
Vote _____
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Motion by _____ Seconded by _____

ROLL CALL:

Student Advisor Larson Ishii _____

Trustee Addonizio _____

Trustee Brick _____

Trustee Christensen _____

Trustee Palazzo _____

Trustee Lopez-Maddox _____

Trustee Winsten _____

Trustee Bryson _____

- 23. **DANA HILLS HIGH SCHOOL PERFORMING ARTS FACILITY – PUBLIC HEARING:** Consideration and Approval, Resolution No. 1011-22 to adopt a mitigated negative declaration/initial study for the Dana Hills High School Performing Arts Facility.
(Supporting Information)
Contact: Ron Lebs, Deputy Superintendent, Business & Support Services

DISCUSSION/
ACTION
Vote _____
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Motion by _____ Seconded by _____

ROLL CALL:

Student Advisor Larson Ishii _____

Trustee Addonizio _____

Trustee Brick _____

Trustee Christensen _____

Trustee Palazzo _____

Trustee Lopez-Maddox _____

Trustee Winsten _____

Trustee Bryson _____

- 24. **CAPISTRANO CONNECTIONS ACADEMY CHARTER SCHOOL:** Consideration and approval, Capistrano Connections Academy Charter School release from Special Education Local Plan Area (SELPA).
(Supporting Information)
Contact: Julie Hatchel, Assistant Superintendent, Education Services

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ACTION
Vote _____
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Motion by _____ Seconded by _____

25. **INSTRUCTIONAL MATERIALS FUNDING REALIGNMENT PROGRAM – PUBLIC HEARING:** Approval, Resolution No. 1011-28, Statement of Assurance for the Instructional Materials Funding Realignment Program. (Supporting Information)
Contact: Julie Hatchel, Assistant Superintendent, Education Services
- DISCUSSION/
ACTION
Vote ____
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Motion by _____ Seconded by _____

ROLL CALL:

Student Advisor Larson Ishii _____
 Trustee Addonizio _____ Trustee Palazzo _____
 Trustee Brick _____ Trustee Lopez-Maddox _____
 Trustee Christensen _____ Trustee Winsten _____
 Trustee Bryson _____

26. **ANNUAL PROGRESS REPORT:** Summary of the 2010 Annual Progress Report. (Supporting Information)
Contact: Julie Hatchel, Assistant Superintendent, Education Services
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27. **HIGH SCHOOL PILOT COURSE:** Consideration and approval, Skateboarding, high school pilot course at San Clemente High School. (Supporting Information)
Contact: Julie Hatchel, Assistant Superintendent, Education Services
- DISCUSSION/
ACTION
Vote ____
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Motion by _____ Seconded by _____

28. **BOARD POLICY REVISION:** Consideration and approval, second reading, revisions to Board Policy 4313, *Management/Supervisory and Confidential Service Days*. (Supporting Information)
Contact: Jodee Brentlinger, Assistant Superintendent, Personnel Services
- DISCUSSION/
ACTION
Vote ____
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Motion by _____ Seconded by _____

29. **BOARD POLICY REVISION:** Consideration and approval, second reading, revisions to Board Policy 6161.2, *Damaged or Lost Instructional Materials*. (Supporting Information)
Contact: Julie Hatchel, Assistant Superintendent, Education Services
- DISCUSSION/
ACTION
Vote ____
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Motion by _____ Seconded by _____

30. **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
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V. ADJOURNMENT

THE NEXT REGULAR MEETING OF THE GOVERNING BOARD WILL BE HELD ON TUESDAY, NOVEMBER 9, 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

31. Closed Session (as authorized by law)

A. CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION

Number of cases: Two 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

Case No. 30-2008 00114162

CUEA v. CUSD

B. STUDENT EXPULSIONS – Items B-1 through B-2

Deliberations of Findings of Fact and Recommendations

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

C. 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) Teamsters

(Pursuant to Government Code §54957.6)

D. PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE

(Pursuant to Government Code §54957)

E. PUBLIC EMPLOYEE APPOINTMENT/EMPLOYMENT

Principal, Newhart Middle School

(Pursuant to Government Code §54957)