

Regular Meeting

CAPISTRANO UNIFIED SCHOOL DISTRICT
BOARD OF TRUSTEES

33122 Valle Road
San Juan Capistrano, CA 92675

September 14, 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

Lexi Pettit, Advocate for Scleroderma Research

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.

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 August 10, 2010, Regular Board Meeting and August 24, 2010, Special Board Meeting. 1
(Supporting Information)
Contact: Jane Boos, Manager, Board Office Operations
2. SCLERODERMA RESEARCH AND AWARENESS ACT: Approval, Resolution No. 1011-20, Support of H.R. 2408, The Scleroderma Research and Awareness Act. 11
(Supporting Information)
Contact: Marcus Walton, Chief Communication Officer

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. 19
(Supporting Information)
Contact: Julie Hatchel Assistant Superintendent, Education
5. INSTRUCTIONAL MATERIALS: Approval, instructional materials recommended for adoption — IB Psychology, High School. 21
(Supporting Information)
Contact: Julie Hatchel Assistant Superintendent, Education
6. INSTRUCTIONAL MATERIALS: Approval, instructional materials recommended for adoption — Reading Intervention, Grades 6-8. 23
(Supporting Information)
Contact: Julie Hatchel Assistant Superintendent, Education
7. INSTRUCTIONAL MATERIALS: Approval, instructional materials recommended for adoption — AP French, High School. 25
(Supporting Information)
Contact: Julie Hatchel Assistant Superintendent, Education
8. ~~INSTRUCTIONAL MATERIALS: Approval, instructional materials recommended for adoption — AP Chinese, High School.~~ ITEM PULLED ON 9/10/10 27
(Supporting Information)
~~*Contact: Julie Hatchel Assistant Superintendent, Education*~~

BUSINESS & SUPPORT SERVICES

9. PURCHASE ORDERS/WARRANTS/CONSULTING AGREEMENTS: 29
Approval, Purchase Orders/Warrants/Consultant Agreements.
(Supporting Information)
Contact: Ron Lebs, Deputy Superintendent, Business & Support Services
10. DONATIONS: Approval, donations of funds/equipment. 81
(Supporting Information)
Contact: Ron Lebs, Deputy Superintendent, Business & Support Services

11. TRANSFER OF FUNDS: Approval, Resolution No. 1011-16, 2009-10 fiscal year end increase/decrease of appropriation. 83
 (Supporting Information)
Contact: Ron Lebs, Deputy Superintendent, Business & Support Services
12. GANN LIMIT: Approval, Resolution No. 1011-17, establishing Gann Limit for 2010-2011. 91
 (Supporting Information)
Contact: Ron Lebs, Deputy Superintendent, Business & Support Services
13. INSURANCE FUND TRANSFERS: Approval, Resolution No. 1011-18 to authorize transfers to the insurance funds and an interfund loan from the General Fund (Fund 01) to the Health & Welfare Benefits Fund (Fund 69). 99
 (Supporting Information)
Contact: Ron Lebs, Deputy Superintendent, Business & Support Services
14. INDUSTRIAL RELATIONS LABOR COMPLIANCE PROGRAM: Approval, Resolution No. 1011-19, Industrial Relations Labor Compliance Program. 103
 (Supporting Information)
Contact: Ron Lebs, Deputy Superintendent, Business & Support Services
15. LETTER OF INTENT: Approval, letter of intent to lease additional vacant space in Building “C” of the District office. 131
 (Supporting Information)
Contact: Ron Lebs, Deputy Superintendent, Business & Support Services
16. OBSOLETE AND UNUSABLE MISCELLANOUS MATERIALS: Approval, authorization to sell obsolete and unusable District materials. 141
 (Supporting Information)
Contact: Ron Lebs, Deputy Superintendent, Business & Support Services
17. TRAINING SERVICES: Approval, extension of agreement for vehicle maintenance and driver training services for Anneliese’s School. 143
 (Supporting Information)
Contact: Ron Lebs, Deputy Superintendent, Business & Support Services
18. TRAINING SERVICES: Approval, agreement for vehicle maintenance and driver training services for JSerra Catholic High School. 155
 (Supporting Information)
Contact: Ron Lebs, Deputy Superintendent, Business & Support Services
19. UNIFORM SERVICES: Approval, to advertise for Request for Proposal (RFP) No. 3-1011, Uniform Services. 165
 (Supporting Information)
Contact: Ron Lebs, Deputy Superintendent, Business & Support Services
20. INSPECTOR OF RECORD: Approval, to advertise for Request for Qualifications (RFQ) No. 4-1011, DSA approved Inspector of Record (IOR). 181
 (Supporting Information)
Contact: Ron Lebs, Deputy Superintendent, Business & Support Services
21. SPECIAL INSPECTIONS AND MATERIALS TESTING SERVICES: Approval, to advertise for Request for Qualifications (RFQ) No. 5-1011, Special Inspections and Materials Testing Services. 201
 (Supporting Information)
Contact: Ron Lebs, Deputy Superintendent, Business & Support Services

22. SCHOOL CONSTRUCTION PROJECT ACCOUNTING: Approval, execution of software license agreement and maintenance and support services agreement for school construction project accounting, Colbi Technologies, Inc. 217
 (Supporting Information)
Contact: Ron Lebs, Deputy Superintendent, Business & Support Services
23. OFFICE SUPPLIES: Approval, authorization to utilize County of Orange Master Agreement No. MA-017-10011795, Office Supplies, Staples Advantage. 241
 (Supporting Information)
Contact: Ron Lebs, Deputy Superintendent, Business & Support Services
24. JANITORIAL SUPPLIES: Approval, authorization to utilize Bid No. 7-09-70-02, Janitorial Supplies, Western States Contracting Alliance (WSCA), Waxie Enterprises, Inc. 243
 (Supporting Information)
Contact: Ron Lebs, Deputy Superintendent, Business & Support Services
25. NEWHART MULTI-PURPOSE ROOM/LIBRARY EXPANSION: Approval, preliminary project scope and preliminary project estimate, and authorize engagement of architect services. 245
 (Supporting Information)
Contact: Ron Lebs, Deputy Superintendent, Business & Support Services

PERSONNEL SERVICES

26. RESIGNATIONS/RETIREMENTS/EMPLOYMENT: Approval, classified personnel. 251
 (Supporting Information)
Contact: Jodee Brentlinger, Assistant Superintendent, Personnel
27. RESIGNATIONS/RETIREMENTS/EMPLOYMENT: Approval, certificated personnel. 263
 (Supporting Information)
Contact: Jodee Brentlinger, Assistant Superintendent, Personnel
28. TEACHER MONITORING: Approval, fourth quarter teacher assignment monitoring summary required by the Williams Settlement Legislation—2009-10 school year. 273
 (Supporting Information)
Contact: Jodee Brentlinger, Assistant Superintendent, Personnel

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 _____

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

29. **COMMUNITY FACILITIES DISTRICTS:** Consideration and approval, 2010-2011 fiscal year budgets for Community Facilities Districts of CUSD. (Supporting Information)
Contact: Ron Lebs, Deputy Superintendent, Business & Support Services
- Motion by _____ Seconded by _____
- DISCUSSION/
ACTION
Vote _____
Page 275
30. **PRELIMINARY FINANCIAL STATEMENTS:** Consideration and approval, preliminary 2009-10 financial statements (unaudited actuals) and Resolution No. 1011-15, to re-appropriate carryover funds. (Supporting Information)
Contact: Ron Lebs, Deputy Superintendent, Business & Support Services
- 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 _____
31. **COMMUNITY ROOTS ACADEMY CHARTER SCHOOL:** Consideration and approval, Community Roots Academy Charter School petition. (Supporting Information)
Contact: Julie Hatchel, Assistant Superintendent, Education
- Motion by _____ Seconded by _____
- DISCUSSION/
ACTION
Vote _____
Page 481
32. **CALIFORNIA SCHOOL BOARDS ASSOCIATION:** Consideration and approval, of California School Board Association membership. (Supporting Information)
Contact: Dr. Joseph Farley, Superintendent
- Motion by _____ Seconded by _____
- DISCUSSION/
ACTION
Vote _____
Page 495
33. **SAN JUAN HILLS HIGH SCHOOL:** Consideration and approval, proposed options for Bid No. 0910-13 San Juan Hills High School 30 Meter Pool/Support Buildings. (Supporting Information)
Contact: Ron Lebs, Deputy Superintendent, Business & Support Services
- Motion by _____ Seconded by _____
- DISCUSSION/
ACTION
Vote _____
Page 497
34. **BOARD POLICY REVISION:** Consideration and approval, second reading, revisions to Board Policy 6146.1, *High School Graduation Requirements*. (Supporting Information)
Contact: Julie Hatchel Assistant Superintendent, Education
- Motion by _____ Seconded by _____
- DISCUSSION/
ACTION
Vote _____
Page 513
35. **BOARD POLICY REVISION:** First reading, revisions to Board Policy 4313, *Management/Supervisory and Confidential Service Days*. (Supporting Information)
Contact: Jodee Brentlinger, Assistant Superintendent, Personnel Services
- INFORMATION/
DISCUSSION
Page 525

36. **BOARD POLICY REVISION:** First reading, revisions to Board Policy 6161.2,
Damaged or Lost Instructional Materials.
(Supporting Information)
Contact: Julie Hatchel Assistant Superintendent, Education INFORMATION/
DISCUSSION
Page 529
37. **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
Page 533
38. **SUMMER PROJECTS:** Update on the Maintenance and Operations completed
summer project list for 2010-2011.
(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, OCTOBER 12, 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

CAPISTRANO UNIFIED SCHOOL DISTRICT
BOARD OF TRUSTEES

33122 Valle Road
San Juan Capistrano, CA 92675

ADDENDUM
to
September 14, 2010 Board Agenda

UNDER SECTION III – CONSENT CALENDAR

Addition – Consent Item	Page
Agenda Item #8-A	28.1
SCHOOL START/DISMISSAL TIMES: Approval, revised school starting and dismissal times for the 2010-11 school year as a result of a clerical error in Exhibit A that was presented at the June 29, 2010, Regular Board meeting. (Supporting Information) <i>Contact: Julie Hatchel, Assistant Superintendent</i>	

VI. CLOSED SESSION

39. 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. 30-2008- 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, *previously*

consolidated with the litigation entitled City of Rancho Santa Margarita, a municipal corporation, v. CUSD (Case No., 30-2008-00207543)

Case No. 3

Central District Court

Case No. SACV 09-1206-AG (ANx)

Case v. Capistrano Unified School District

B. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

Significant Exposure to Litigation – 1 Case

(Pursuant to Government Code §54956.9{b}{1})

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)

(Pursuant to Government Code §54957.6)

D. PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE

(Pursuant to Government Code §54957)

E. PUBLIC EMPLOYEE APPOINTMENT/EMPLOYMENT

Supervisor, Custodial Services

(Pursuant to Government Code §54957)