

Regular Meeting

CAPISTRANO UNIFIED SCHOOL DISTRICT  
BOARD OF TRUSTEES

33122 Valle Road  
San Juan Capistrano, CA 92675

March 8, 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

<b>Present</b>	<b>Absent</b>
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

**CLOSED SESSION COMMENTS**

**CLOSED SESSION**

**6:00 p.m.**

**REPORT ON CLOSED SESSION ACTION**

**SPECIAL RECOGNITIONS**

*John Hamro – 2011 Educator of the Year for the California League of High Schools  
Student Body President’s Report –Serra 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 #32- Capistrano Connections Academy Charter School Waiver  
**PUBLIC HEARING:** Agenda Item #45- Capistrano Unified School District Education Local Plan Area (SELPA) Annual Service Plan & Budget.

**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 February 8, 2011, regular Board meeting and minutes of the February 22, 2011, special Board meeting. 1  
(Supporting Information)  
*Contact: Jane Boos, Manager, Board Office Operations*

#### CURRICULUM & INSTRUCTION

2. EXPULSION READMISSIONS: Approval, readmission of students from expulsion. 15  
(Supporting Information)  
*Contact: Julie Hatchel, Assistant Superintendent, Education Services*
3. CALIFORNIA HIGH SCHOOL EXIT EXAM: Approval, petition to waive 17  
California Education Code §60851(c)/Board Policy 6162.52—California High School Exit Exam: Case #1011-011 through 1011-013.  
(Supporting Information)  
*Contact: Julie Hatchel, Assistant Superintendent, Education Services*
4. SERVICE AGREEMENT: Approval, OCDE service agreement with CUSD for the 19  
Understanding American Citizenship grant.  
(Supporting Information)  
*Contact: Julie Hatchel, Assistant Superintendent, Education Services*
5. BIOTECHNOLOGY: Approval, Biotechnology science elective course for high schools. 33  
(Supporting Information)  
*Contact: Julie Hatchel, Assistant Superintendent, Education Services*

#### BUSINESS & SUPPORT SERVICES

6. PURCHASE ORDERS/WARRANTS: Approval, purchase orders, warrants, and 37  
consultant agreements.  
(Supporting Information)  
*Contact: Ron Lebs, Deputy Superintendent, Business & Support Services*
7. DONATIONS: Approval, donations of funds and equipment. 83  
(Supporting Information)  
*Contact: Ron Lebs, Deputy Superintendent, Business & Support Services*
8. DESIGNATION OF AGENTS: Approval, Resolution No. 1011-44, Designation of 87  
Agents.  
(Supporting Information)  
*Contact: Ron Lebs, Deputy Superintendent, Business & Support Services*
9. NIGUEL CHILDREN'S CENTER: Approval, reduction in lease payments for Niguel 91  
Children's Center at Foxborough campus.  
(Supporting Information)  
*Contact: Ron Lebs, Deputy Superintendent, Business & Support Services*

10. DELL FLEX LEASE PURCHASE AGREEMENT: Approval, lease purchase agreement for computers at Truman Benedict Elementary School with Dell Financial Services. (Supporting Information) 101  
*Contact: Ron Lebs, Deputy Superintendent, Business & Support Services*
11. JOINT POWERS AUTHORITY AMENDMENT: Approval, Orange County Department of Education courier service joint powers authority amendment. (Supporting Information) 111  
*Contact: Ron Lebs, Deputy Superintendent, Business & Support Services*
12. MASTER CONTRACT: Approval, master contract for special education services to be provided by Teri, Inc. The Country School, a non-public school. (Supporting Information) 121  
*Contact: Ron Lebs, Deputy Superintendent, Business & Support Services*
13. MASTER CONTRACT: Approval, master contract for special education services to be provided by Devereux Cleo Wallace, a non-public school. (Supporting Information) 157  
*Contact: Ron Lebs, Deputy Superintendent, Business & Support Services*
14. CONSULTING AGREEMENT: Approval, civil engineering services, SLR Civil Engineering, Inc. (Supporting Information) 193  
*Contact: Ron Lebs, Deputy Superintendent, Business & Support Services*
15. CONSULTING AGREEMENT: Approval, surveying and construction engineering services, Guida Surveying, Inc. (Supporting Information) 203  
*Contact: Ron Lebs, Deputy Superintendent, Business & Support Services*
16. INDEPENDENT CONTRACTOR AGREEMENT: Approval, workshops on Seven Habits of Highly Effective Families, Eric Stenlake. (Supporting Information) 215  
*Contact: Ron Lebs, Deputy Superintendent, Business & Support Services*
17. INDEPENDENT CONTRACTOR AGREEMENT: Approval, Classroom Walkthrough Institute, Teachscape, Inc. (Supporting Information) 225  
*Contact: Ron Lebs, Deputy Superintendent, Business & Support Services*
18. INDEPENDENT CONTRACTOR AGREEMENT: Approval, science assemblies, Science on the Go, Inc. (Supporting Information) 239  
*Contact: Ron Lebs, Deputy Superintendent, Business & Support Services*
19. INDEPENDENT CONTRACTOR AGREEMENT: Approval, general academic guidance workshops, Debra L. Horowitz. (Supporting Information) 249  
*Contact: Ron Lebs, Deputy Superintendent, Business & Support Services*
20. INDEPENDENT CONTRACTOR AGREEMENT: Approval, enVision fraction training, Kate Gallaway. (Supporting Information) 259  
*Contact: Ron Lebs, Deputy Superintendent, Business & Support Services*
21. SERVICE AGREEMENT: Approval, Orange County Youth Internet Safety Education Project, Web Wise Kids Training, OCDE. (Supporting Information) 269  
*Contact: Ron Lebs, Deputy Superintendent, Business & Support Services*

- 22. E-RATE APPLICATION: Approval, E-rate application for telecommunications and Internet access funding. 281  
 (Supporting Information)  
*Contact: Ron Lebs, Deputy Superintendent, Business & Support Services*
- 23. ROOFING REPAIRS: Approval, award of Bid No. 1011-10, Roofing Repairs and Maintenance Districtwide, Architectural Roofing Systems dba Pacific Roofing Systems. 289  
 (Supporting Information)  
*Contact: Ron Lebs, Deputy Superintendent, Business & Support Services*
- 24. GROCERY PRODUCTS: Approval, authorization to advertise for Bid No. 1011-14, Grocery Products. 297  
 (Supporting Information)  
*Contact: Ron Lebs, Deputy Superintendent, Business & Support Services*
- 25. SNACK AND BEVERAGE PRODUCTS: Approval, authorization to advertise for Bid No. 1011-13, Snack and Beverages Products. 299  
 (Supporting Information)  
*Contact: Ron Lebs, Deputy Superintendent, Business & Support Services*
- 26. MILK AND DAIRY PRODUCTS: Approval, award of Bid No. 1011-08, Milk and Dairy Products, Hollandia Dairy, Inc. 301  
 (Supporting Information)  
*Contact: Ron Lebs, Deputy Superintendent, Business & Support Services*

**PERSONNEL SERVICES**

- 27. RESIGNATIONS/RETIREMENTS/EMPLOYMENT: Approval, classified personnel. 313  
 (Supporting Information)  
*Contact: Jodee Brentlinger, Assistant Superintendent, Personnel*
- 28. RESIGNATIONS/RETIREMENTS/EMPLOYMENT: Approval, certificated personnel. 323  
 (Supporting Information)  
*Contact: Jodee Brentlinger, Assistant Superintendent, Personnel*
- 29. COACH CERTIFICATION: Approval, certification of temporary athletic team coach qualifications and competencies. 331  
 (Supporting Information)  
*Contact: Jodee Brentlinger, Assistant Superintendent, Personnel*
- 30. REGIONAL OCCUPATIONAL PROGRAM AGREEMENT: Approval, memorandum of understanding agreement with the Regional Occupational Program. 337  
 (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

31. **OXFORD PREPARATORY ACADEMY PETITION:** Consideration and approval, DISCUSSION/  
Oxford Preparatory Academy Charter School petition. ACTION  
(Supporting Information) Vote \_\_\_\_\_  
*Contact: Julie Hatchel, Assistant Superintendent, Education Services* Page 345

Motion by \_\_\_\_\_ Seconded by \_\_\_\_\_

32. **CAPISTRANO CONNECTIONS ACADEMY CHARTER SCHOOL- PUBLIC HEARING:** Consideration and approval, pupil-to-teacher waiver request for Capistrano Connections Academy Charter School. DISCUSSION/  
(Supporting Information) ACTION  
*Contact: Julie Hatchel, Assistant Superintendent, Education Services* Vote \_\_\_\_\_  
Page 369

Motion by \_\_\_\_\_ Seconded by \_\_\_\_\_

ROLL CALL:

Student Advisor Larson Ishii \_\_\_\_\_

Trustee Addonizio \_\_\_\_\_

Trustee Alpay \_\_\_\_\_

Trustee Bryson \_\_\_\_\_

Trustee Hatton \_\_\_\_\_

Trustee Palazzo \_\_\_\_\_

Trustee Pritchard \_\_\_\_\_

Trustee Brick \_\_\_\_\_

33. **SJHHS POOL BID AWARD:** Consideration and approval, award of Bid DISCUSSION/  
No. 1011-09, San Juan Hills High School 30- meter pool/support buildings to ACTION  
Horizon Construction Company International, Inc. Vote \_\_\_\_\_  
(Supporting Information) Page 373  
*Contact: Ron Lebs, Deputy Superintendent, Business & Support Services*

Motion by \_\_\_\_\_ Seconded by \_\_\_\_\_

34. **CSEA CONTRACT REOPENER PROPOSAL:** Discussion of the District's contract INFORMATION/  
reopener proposal with CSEA for the 2011-2012 school year. DISCUSSION  
(Supporting Information) Page 387  
*Contact: Jodee Brentlinger, Assistant Superintendent, Personnel Services*

35. **CUEA CONTRACT REOPENER PROPOSAL:** Discussion of the District's contract INFORMATION/  
reopener proposal with CUEA for the 2011-2012 school year. DISCUSSION  
(Supporting Information) Page 391  
*Contact: Jodee Brentlinger, Assistant Superintendent, Personnel Services*

36. **TEAMSTERS CONTRACT REOPENER PROPOSAL:** Discussion of the District's INFORMATION/  
contract reopener proposal with Teamsters for the 2011-2012 school year. DISCUSSION  
(Supporting Information) Page 395  
*Contact: Jodee Brentlinger, Assistant Superintendent, Personnel Services*

37. **TWO-WAY IMMERSION REPORT:** Overview and update on the Two-Way INFORMATION/  
Immersion program. DISCUSSION  
(Supporting Information) Page 399  
*Contact: Julie Hatchel, Assistant Superintendent, Education Services*

38. **COMMUNITY FACILITIES DISTRICT NO. 2005-1:** Consideration and approval, Resolution No. 1011-43, Initiating Proceedings and Calling Public Hearing for Consideration of reducing special taxes of CFD2005-1 (Whispering Hills). (Supporting Information) *Contact: Ron Lebs, Deputy Superintendent, Business & Support Services*
- DISCUSSION/  
ACTION  
Vote \_\_\_\_\_  
Page 409

Motion by \_\_\_\_\_ Seconded by \_\_\_\_\_

ROLL CALL:

Student Advisor Larson Ishii \_\_\_\_\_

Trustee Addonizio \_\_\_\_\_

Trustee Alpay \_\_\_\_\_

Trustee Bryson \_\_\_\_\_

Trustee Hatton \_\_\_\_\_

Trustee Palazzo \_\_\_\_\_

Trustee Pritchard \_\_\_\_\_

Trustee Brick \_\_\_\_\_

39. **SECOND INTERIM REPORT:** Consideration and approval, Certification of the Second Interim Report and adoption of Resolution No. 1011-42, Incorporating 2010-2011 Revenue and Expenditure Adjustments. (Supporting Information) *Contact: Ron Lebs, Deputy Superintendent, Business & Support Services*
- DISCUSSION/  
ACTION  
Vote \_\_\_\_\_  
Page 437

Motion by \_\_\_\_\_ Seconded by \_\_\_\_\_

ROLL CALL:

Student Advisor Larson Ishii \_\_\_\_\_

Trustee Addonizio \_\_\_\_\_

Trustee Alpay \_\_\_\_\_

Trustee Bryson \_\_\_\_\_

Trustee Hatton \_\_\_\_\_

Trustee Palazzo \_\_\_\_\_

Trustee Pritchard \_\_\_\_\_

Trustee Brick \_\_\_\_\_

40. **EARLY INTERVENING SERVICES PLAN:** Consideration and approval, Significant Disproportionality-Coordinated Early Intervening Services Plan. (Supporting Information) *Contact: Julie Hatchel, Assistant Superintendent, Education Services*
- DISCUSSION/  
ACTION  
Vote \_\_\_\_\_  
Page 469

Motion by \_\_\_\_\_ Seconded by \_\_\_\_\_

41. **BOARD POLICY REVISION:** Second reading of revisions to Board Policy 1325, *Advertising and Promotion*, and Board Policy 1326, *Posting and Distributing Flyers*. (Supporting Information) *Contact: Marcus Walton, Chief Communications Officer*
- DISCUSSION/  
ACTION  
Vote \_\_\_\_\_  
Page 475

Motion by \_\_\_\_\_ Seconded by \_\_\_\_\_

42. **BOARD POLICY ADOPTION:** Second reading for adoption of Board Policy 5117.1, *Open Enrollment Act/Romero Bill*. (Supporting Information) *Contact: Julie Hatchel, Assistant Superintendent, Education Services*
- DISCUSSION/  
ACTION  
Vote \_\_\_\_\_  
Page 487

Motion by \_\_\_\_\_ Seconded by \_\_\_\_\_

43. **BOARD POLICY REVISION:** Second reading of revisions to Board Policy 5118, *Interdistrict Attendance Agreements*. (Supporting Information) *Contact: Julie Hatchel, Assistant Superintendent, Education Services*
- DISCUSSION/  
ACTION  
Vote \_\_\_\_\_  
Page 493

Motion by \_\_\_\_\_ Seconded by \_\_\_\_\_

44. **BOARD POLICY REVISION:** Second reading of revisions to Board Policy 5119, DISCUSSION/  
ACTION  
*Open Enrollment.*  
(Supporting Information) Vote \_\_\_\_\_  
*Contact: Julie Hatchel, Assistant Superintendent, Education Services* Page 499

Motion by \_\_\_\_\_ Seconded by \_\_\_\_\_

45. **SPECIAL EDUCATION LOCAL PLAN AREA (SELPA) – PUBLIC HEARING:** DISCUSSION/  
ACTION  
Consideration and approval, adoption of the Capistrano Unified School District  
Special Education Local Plan Area (SELPA) Annual Service Plan and Budget. Vote \_\_\_\_\_  
*Contact: Julie Hatchel, Assistant Superintendent, Education Services* Page 507

Motion by \_\_\_\_\_ Seconded by \_\_\_\_\_

ROLL CALL:

Student Advisor Larson Ishii \_\_\_\_\_

Trustee Addonizio \_\_\_\_\_

Trustee Alpay \_\_\_\_\_

Trustee Bryson \_\_\_\_\_

Trustee Hatton \_\_\_\_\_

Trustee Palazzo \_\_\_\_\_

Trustee Pritchard \_\_\_\_\_

Trustee Brick \_\_\_\_\_

46. **DIVISION OF STATE ARCHITECT:** Update of progress of the Division of State INFORMATION/  
DISCUSSION  
Architect Construction and Project listing. Page 535  
(Supporting Information)  
*Contact: Ron Lebs, Deputy Superintendent, Business & Support Services*

## V. ADJOURNMENT

**THE NEXT REGULAR MEETING OF THE GOVERNING BOARD WILL BE HELD ON  
TUESDAY, APRIL 12, 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](http://www.capousd.org)



**VI. CLOSED SESSION**

47. Closed Session (as authorized by law)

A. CONFERENCE WITH LEGAL COUNSEL–EXISTING LITIGATION

United States District Court  
Central District of California  
Case No. SACV 09-01206  
ASCIP #10-8229-JW Settlement Ratification  
(Pursuant to Government Code §54956.9{a})

AA. CONFERENCE WITH LEGAL COUNSEL–ANTICIPATED LITIGATION

Significant Exposure to Litigation - One Case  
(Pursuant to Government Code §54956.9{b})

B. STUDENT EXPULSIONS – Items B-1 through B-16

Deliberations of Findings of Fact and Recommendations  
(Pursuant to Education Code §48918(c) and §35145)

C. ISSUANCE OF MARCH 15 NON-REELECTION NOTICES

Certificated Probationary Employees/Certificated Management  
(3 positions)  
(Pursuant to Education Code §44951)

D. PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE

(Pursuant to Government Code §54957)

E. 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)

CAPISTRANO UNIFIED SCHOOL DISTRICT  
BOARD OF TRUSTEES

33122 Valle Road  
San Juan Capistrano, CA 92675

**ADDENDUM**  
**to**  
**March 8, 2011 Board Agenda**

**UNDER SECTION VI – CLOSED SESSION**

**Addition – Closed Session Item**

Agenda Item #47 AA CONFERENCE WITH LEGAL COUNSEL- ANTICIPATED LITIGATION  
Significant Exposure to Litigation – One Case  
*(Pursuant to Government Code §54956.9 (b))*