

CAPISTRANO UNIFIED SCHOOL DISTRICT
33122 Valle Road
San Juan Capistrano, CA 92675

BOARD OF TRUSTEES
Regular Meeting

May 25, 2011

Closed Session 4:30 p.m.
Open Session 5:00 p.m.

AGENDA

CLOSED SESSION AT 4:30 P.M.

1. **CALL TO ORDER**
2. **CLOSED SESSION COMMENTS**
3. **CLOSED SESSION** (as authorized by law)

A. PUBLIC EMPLOYEE APPOINTMENT/EMPLOYMENT

EXHIBIT 3 A

Principal, Elementary School
(Pursuant to Government Code §54957)

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)

OPEN SESSION AT 5:00 P.M.

1. **PLEDGE OF ALLEGIANCE**
2. **ADOPTION OF THE AGENDA – ROLL CALL**
3. **REPORT ON CLOSED SESSION ACTION**
4. **BOARD AND SUPERINTENDENT COMMENTS**
5. **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.

DISCUSSION/ACTION ITEMS

6. 2010-2011 UPDATE FINANCIAL STATEMENTS (Third Interim Report):
In accordance with Education Code §42131(c), a school district, which is qualified or negative as of the Second Interim Report, shall submit financial statement projections of the district’s fund and cash balances to the county office, State Controller, and the Superintendent of Public Instruction. These financial statement projections and cash balances are typically referred to as the “Third Interim Report.” The Third Interim Report covers the period of July 1, 2010, through April 30, 2011, and includes the following:

DISCUSSION/
ACTION
Vote _____
Page 1
EXHIBIT A

- Financial projections for the general fund
- Cash flow projections for fiscal year 2010-2011 and 2011-2012
- Budget reductions needed for 2011-2012, with an implementation timeline

The Third Interim Report is not required to be certified as positive, qualified, or negative, and is required only to be submitted to the county office and the various state agencies for review and comment.

Due to release of the Governor’s May budget revision on Monday, May 16, 2011, updated budget information will be posted online when it is available in the CUSD Board Agendas and Supporting Documentation page which can be accessed at: http://capousd.ca.schoolloop.com/cms/page_view?d=x&piid=&vpid=1293638734307
Contact: Ron Lebs, Deputy Superintendent, Business & Support Services

Staff Recommendation:

It is recommended the Board President recognize Ron Lebs, Deputy Superintendent, Business & Support Services, who will introduce this item and answer any questions Trustees may have.

Following discussion, it is recommended the Board of Trustees acknowledge receipt of the financial documents related to the Third Interim Report, and authorize their filing with the Orange County Department of Education, the State Controller’s Office, and the State Superintendent of Public Instruction.

Motion by _____ Seconded by _____

7. RESOLUTION NO. 1011-57, CLASSIFIED LAYOFF, NON-MANAGEMENT EMPLOYEES:

In accordance with Education Code §45117, classified employees may be laid off due to a bona fide reduction, elimination of a service being performed, or lack of funds. The process considers length of service (e.g., seniority) and any other higher classifications, with no skipping permitted for special expertise.

DISCUSSION/
ACTION
Vote _____
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EXHIBIT B

Classified employees must be given a forty-five (45) day notice prior to the effective date of any layoff. Individuals laid off shall be eligible for reemployment for a period of 39 months pursuant to Education Code §45298.

This agenda items proposes a reduction or elimination of positions due to a lack of funds. The District has received notice that the state funded program is expected to receive a 25% revenue reduction in funding for the 2011-2012 school year. In order to maintain the existing program format (full and half-day programs), the costs would need to be absorbed by the general fund which is estimated to be approximately \$350,000. The elimination of these positions, funded through state preschool funding sources, do not impact the general fund.

Contact: Jodee Brenlinger, Assistant Superintendent, Personnel Services

Staff Recommendation:

It is recommended the Board President recognize Jodee Brentlinger, Assistant Superintendent, Personnel Services, who will introduce this item and answer any questions Trustees may have.

Following discussion, it is recommended the Board of Trustees approve Resolution 1011-57, Classified Layoff, Non-Management Employees, in the designated classifications.

Motion by _____ Seconded by _____

ROLL CALL:

Student Advisor Larson Ishii _____

Trustee Addonizio _____

Trustee Alpay _____

Trustee Bryson _____

Trustee Hatton _____

Trustee Palazzo _____

Trustee Pritchard _____

Trustee Brick _____

8. SECOND READING – REVISIONS TO BOARD POLICY 6111 – SCHOOL CALENDAR:

Board Policy 6111 outlines the duties and responsibilities of the District and Board relative to the establishment of a calendar for each school site. Each school site calendar shall show the beginning and ending school dates, legal and local holidays, minimum days, vacation periods, and other pertinent dates. Additionally, the policy states that opening and closing hours of the school day shall be approved by the Board on an annual basis. School sites have had considerable autonomy in establishing and altering site calendars. At times, these changes have posed challenges due to inconsistency in scheduling across the District, including transportation accommodations. Revisions to Board Policy 6111 are recommended to the Board to provide consistency and accountability with scheduling. Proposed additions to the Board policy are underlined; deletions are struck through.

Contact: Julie Hatchel, Assistant Superintendent, Education Services

Staff Recommendation:

It is recommended the Board President recognize Julie Hatchel, Assistant Superintendent, Education Services, to present the proposed revisions to Board Policy 6111, School Calendar.

Following discussion, it is recommended the Board of Trustees approve the revisions to Board Policy 6111 – *School Calendar*.

Motion by _____ Seconded by _____

9. FIRST READING – ADOPTION OF BOARD POLICY 3110, FUND BALANCE DESIGNATIONS:

The Governmental Accounting Standards Board issued GASB Statement 54 (GASB 54), which alters how fund balance information is reported, and to improve clarity of how fund balance information is presented and classified. GASB 54 became effective for all school districts in California for the fiscal year 2010-2011. Implementation of GASB 54 requires school districts to adopt a Board policy that outlines various reporting restrictions to fund balance(s), minimum fund balance, authority to commit and assign, and spending order.

Contact: Ron Lebs, Deputy Superintendent, Business & Support Services

Staff Recommendation:

It is recommended the Board President recognize Ron Lebs, Deputy Superintendent, Business & Support Services, who will provide the rationale for adoption of Board Policy 3110, *Fund Balance Designations*. Any recommended changes will be brought back for final approval at the June 13, 2011, Board meeting.

DISCUSSION/
ACTION

Vote _____

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EXHIBIT C

INFORMATION/
DISCUSSION

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EXHIBIT D

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 the staff recommend approval of all consent Calendar items.

GENERAL FUNCTIONS

10. SCHOOL BOARD MINUTES:

Minutes of the April 27, 2011, special Board meeting and the May 9, 2011, regular Board meeting.

Contact: Jane Boos, Manager, Board Office Operations

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EXHIBIT E

BUSINESS & SUPPORT SERVICES

11. DONATIONS OF FUNDS AND EQUIPMENT:

A number of gifts have been donated to the District, including \$177,695.57 in cash. These funds will be deposited in the appropriate school accounts. Items other than cash gifts have no financial impact on the budget. The District does not guarantee maintenance of those items or the expenditure of any District funds for their continued use.

Contact: Ron Lebs, Deputy Superintendent, Business & Support Services

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EXHIBIT F

12. STATE OF CALIFORNIA MULTIPLE AWARD SCHEDULE (CMAS) CONTRACT 3-11-70-0291U – PURCHASE AND WARRANTY OF HARDWARE, SOFTWARE, SOFTWARE MAINTENANCE, INSTALLATION, MAINTENANCE, AND REPAIR, AMS.NET, INCORPORATED:

Approval of authorization to utilize CMAS Contract 3-11-70-0291U for the purchase and warranty of hardware, software, software maintenance, installation, maintenance, and repair from AMS.Net, Incorporated, under the same terms and conditions of the public agency's contract. School boards have the authority to "piggyback" on another public agency's bid, per Public Contract Code §20118, when it is in the best interest of a district. It is often advantageous to utilize piggyback bids when contract items are identical to the district's specifications. Using piggyback contracts saves time and often provides lower prices than a single jurisdiction would be able to obtain.

This contract provides competitive pricing for various computer hardware and software items utilized by District sites, and allows staff to streamline the procurement process. Estimated annual expenditures utilizing this contract are \$60,000, funded by Economic Impact Aid and Title I funds.

Due to the size of the CMAS contract and award, the documentation will be posted online in the CUSD Board Agendas and Supporting Documentation page which can be accessed at: http://capousd.ca.schoolloop.com/cms/page_view?d=x&piid=&vpid=1293638734307

Contact: Ron Lebs, Deputy Superintendent, Business & Support Services

13. WESTERN STATES CONTRACTING ALLIANCE (WSCA) CONTRACT 1S-06-79-55 – MAINTENANCE REPAIR AND OPERATING SUPPLIES, W.W. GRAINGER, INCORPORATED:

Approval of authorization to utilize WSCA Contract 1S-06-79-55 for the purchase of maintenance repair and operating supplies from W.W. Grainger, Incorporated, under the same terms and conditions of the public agency's contract. School boards have the authority to "piggyback" on another public agency's bid, per Public Contract Code §20118, when it is in the best interest of a district. It is often advantageous to utilize piggyback bids when contract items are identical to the district's specifications. Using piggyback contracts saves time and often provides lower prices than a single jurisdiction would be able to obtain.

This contract provides competitive pricing and timely delivery of various custodial and facilities maintenance supplies to District sites, allowing staff to streamline the procurement process. Estimated annual expenditures utilizing this contract are \$500,000, funded out of the general fund.

Due to the size of the WSCA contract and award, the documentation will be posted online in the CUSD Board Agendas and Supporting Documentation page which can be accessed at : http://capousd.ca.schoolloop.com/cms/page_view?d=x&piid=&vpid=1293638734307
Contact: Ron Lebs, Deputy Superintendent, Business & Support Services

14. **LEASE/RENTAL AGREEMENT- ORANGE COUNTY FIRE AUTHORITY:** Page 63
Approval of a lease/rental agreement with the Orange County Fire Authority to provide the use of a District bus on a temporary basis for the transportation of fire explorers during a one week intensive training in July. The income generated from this agreement is \$900 and will be deposited into the Transportation Department vehicle replacement account. **EXHIBIT G**
Contact: Ron Lebs, Deputy Superintendent, Business & Support Services
15. **EXTENSION OF AGREEMENT RFQ NO. 1-0910 E-RATE CONSULTANT – NvLS PROFESSIONAL SERVICES, LLC:** Page 65
Approval of the second extension of the agreement for E-rate consulting services to be provided by NvLS Professional Services, LLC. In light of the fiscal crisis, a letter was sent to NvLS Professional Services, LLC, requesting the firm submit reduced costs for the 2011-2012 renewal period. The original contract price in 2009-2010 was \$20,000. The firm will hold its reduced cost of services at \$18,000 for the current renewal period of July 1, 2011, through June 30, 2012. There will be no additional fees for technology planning and RFP assistance. Any additional services requested by the District will be billed at \$125 per hour. This contract provides the District support and advice in processing E-rate applications and requests for E-rate funding. **EXHIBIT H**
Contact: Ron Lebs, Deputy Superintendent, Business & Support Services
16. **AMENDMENT NO. 1 TO INCOME AGREEMENT – INTERPRETER TRAINING SESSIONS, ORANGE COUNTY DEPARTMENT OF EDUCATION:** Page 81
Approval of amendment No.1 to Income Agreement 36637 with the Orange County Department of Education for interpreter training sessions. The amendment changes the contract term to April 19, 2011, through June 30, 2011. All other terms and conditions remain the same. The cost for the training sessions is \$100 per participant, not to exceed \$4,000, funded by Economic Impact Aid categorical funding. **EXHIBIT I**
Contact: Ron Lebs, Deputy Superintendent, Business & Support Services
17. **MASTER CONTRACT - LARRY M. SIMMONS HIGH SCHOOL-KIVA, NON-PUBLIC SCHOOL:** Page 89
Approval of a master contract with Larry M. Simmons High School-Kiva, a non-public school, for special education services. As indicated on the rate sheet, the cost for tuition per individual student is \$182.26 a day, and the cost for room and board per individual student is \$263.90 a day on an as-needed basis, which would be paid out of special education funds. The total expenditures under this contract cannot be determined at this time, as it is unknown how many special education students would require the residential services provided by this vendor. The actual dollar amount and budget code will be determined by purchase order submitted for Board approval. **EXHIBIT J**
Contact: Ron Lebs, Deputy Superintendent, Business & Support Services

- 18. MASTER CONTRACT – LARRY M. SIMMONS HIGH SCHOOL-BODEGA, NON-PUBLIC SCHOOL:** Page 123
EXHIBIT K
- Approval of a master contract for special education services to be provided by Larry M. Simmons High School-Bodega, a non-public school, for special education services. As indicated on the rate sheet, the cost for tuition per individual student is \$182.26 a day, and the cost for room and board per individual student is \$263.90 a day on an as-needed basis, which would be paid out of Special Education funds. The total expenditures under this contract cannot be determined at this time, as it is unknown how many special education students would require the residential services provided by this vendor. The actual dollar amount and budget code will be determined by purchase order submitted for Board approval.
- Contact: Ron Lebs, Deputy Superintendent, Business & Support Services*
- 19. INDEPENDENT CONTRACTOR AGREEMENT – INDIVIDUALIZED COGNITIVE-SENSORY INTERVENTION PROGRAM, THE SPEECH, LANGUAGE & LEARNING CENTER:** Page 157
EXHIBIT L
- Approval of an independent contractor agreement with The Speech, Language & Learning Center to provide individualized cognitive-sensory intervention programs to students as designated by the District. The Center will provide services at the rates indicated on the rate sheet for the balance of this fiscal year and for the 2011-2012 school year, on an as-needed basis, paid for out of special education funds. Scheduled services under this contract are estimated to be \$4,000. Additional services may be required as determined by an individual’s IEP. Separate purchase orders will be approved by the Board for such services.
- Contact: Ron Lebs, Deputy Superintendent, Business & Support Services*
- 20. INDEPENDENT CONTRACTOR AGREEMENT – TECHNOLOGY IN THE MATHEMATICS CLASSROOM WORKSHOP, PEARSON:** Page 165
EXHIBIT M
- Approval of an independent contractor agreement with Pearson for an enVisionMATH professional development workshop about technology in the mathematics classroom for District K-5 teachers. As indicated on the rate sheet, the cost for the presentation is a total fee not to exceed \$3,500, paid by Title I funds.
- Contact: Ron Lebs, Deputy Superintendent, Business & Support Services*
- 21. INDEPENDENT CONTRACTOR AGREEMENT – ART INSTRUCTION, ASSEMBLIES, LECTURES, AND PROGRAMS, MEET THE MASTERS, INCORPORATED:** Page 173
EXHIBIT N
- Approval of an independent contractor agreement with Meet the Masters, Incorporated to provide art instruction, assemblies, lectures, and programs. This master contract can be utilized by any site in the District, on an as-needed basis, at the prices indicated on the rate sheet. The estimated cost for the 2011-2012 fiscal year is \$67,000, paid by gift, site, and PTA funds.
- Contact: Ron Lebs, Deputy Superintendent, Business & Support Services*
- 22. INDEPENDENT CONTRACTOR AGREEMENT – E-WASTE RECYCLING AND DISPOSAL SERVICES, ALL GREEN ELECTRONICS RECYCLING:** Page 185
EXHIBIT O
- Approval of an independent contractor agreement with All Green Electronics Recycling and Disposal Services for e-waste recycling and disposal services throughout the District. Of the four companies submitting proposals, only All Green Electronics Recycling responded positively in every criterion for this service.
- As indicated on the rate sheet, the cost for data destruction is \$4 to \$6 per system. Services under this contract are on an as-needed basis, estimated at \$8,000, to be paid for out of the general fund.
- Contact: Ron Lebs, Deputy Superintendent, Business & Support Services*

23. AWARD RFQ NO. 7-1011 – STUDENT ASSESSMENT AND DATA ANALYSIS SYSTEM, ILLUMINATE EDUCATION, INCORPORATED:

Page 197
EXHIBIT P

Approval of award of a service agreement with Illuminate Education, Incorporated for a student assessment and data analysis system. The firm was chosen based upon its high level of technical qualifications, professionalism, and experience. The contract resulting from RFQ No. 7-1011 provides for software licensing and support services. The contract may be extended by mutual agreement, and upon Board approval, for a renewal term not to exceed four additional one-year periods. The total annual expenditures under this contract are estimated to be \$189,000 to be paid out of Microsoft voucher funds.

Contact: Ron Lebs, Deputy Superintendent, Business & Support Services

PERSONNEL SERVICES

24. MASTER TEACHER PAYMENT:

Page 207
EXHIBIT Q

Approval of payment to the District’s master teachers who supported student teachers during the 2010 fall semester. Student teachers from various universities are placed in the District throughout the school year. Current university agreements specify that institutions pay master teachers a nominal stipend for their supervision and support of student teachers. The 2008-2009 school year ended the traditional practice of the university reimbursing the District for these fees. This year California State University, Fullerton has agreed to reimburse the District for all costs associated with compensating master teachers. Therefore, the compensation amounts differ as a result of including all statutory costs.

Contact: Jodee Brenlinger, Assistant Superintendent, Personnel Services

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.

ADJOURNMENT

Motion by _____ Seconded by _____

THE NEXT REGULAR MEETING OF THE BOARD OF TRUSTEES IS MONDAY, JUNE 13, 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

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.