

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

BOARD OF TRUSTEES
Regular Meeting

May 9, 2011

Closed Session 6:00 p.m.
Open Session 7:00 p.m.

AGENDA

CLOSED SESSION AT 6:00 P.M.

1. CALL TO ORDER

2. CLOSED SESSION COMMENTS

3. CLOSED SESSION (as authorized by law)

A. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

EXHIBIT 3 A

Number of Cases: One
(Pursuant to Education Code §54956.9{a})

Superior Court of the State of California
County of Orange – Central Justice Center
Case No. 00300788
Whispering Hills LLC v. Capistrano Unified School District

B. STUDENT EXPULSIONS

EXHIBITS 3 B1-B7

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

C. PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL RELEASE

(Pursuant to Government Code §54957)

D. 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
4) Unrepresented Employees (CUMA)

RECORDING OF SCHOOL BOARD MEETINGS

In accordance with Board Policy 9324, Board Minutes, all Regular School Board Meetings will be audio recorded.

OPEN SESSION AT 7:00 P.M.

1. PLEDGE OF ALLEGIANCE
2. ADOPTION OF THE AGENDA – ROLL CALL
3. REPORT ON CLOSED SESSION ACTION
4. SPECIAL RECOGNITIONS

*Laurie Lowy, Bonnie Liedlich, Betsy Schmitz – CUSD Teachers of the Year
Student Body Presidents’ Report – Aliso Niguel and Tesoro High Schools*

5. BOARD AND SUPERINTENDENT COMMENTS
6. 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.

DISCUSSION/ACTION ITEMS

7. **RESOLUTION NO. 1011-54 - CALIFORNIA DAY OF THE TEACHER:** DISCUSSION/
Approval of Resolution No. 1011-54, recognition of May 11, 2011, as “California Day ACTION
of the Teacher.” This resolution serves as official notice to all employees, as well as Vote _____
all citizens of Capistrano Unified School District, of the Board's recognition of the Page 1
excellent service provided by its certificated staff. **EXHIBIT A**
Contact: Marcus Walton, Chief Communication Officer

Staff Recommendation

It is recommended the Board President recognize Marcus Walton, Chief Communications Officer, who will present this item.

Following discussion, it is recommended the Board of Trustees approve Resolution No. 1011-54, California Day of the Teacher.

Motion by _____	Seconded by _____
ROLL CALL:	
Student Advisor Larson Ishii _____	
Trustee Addonizio _____	Trustee Hatton _____
Trustee Alpay _____	Trustee Palazzo _____
Trustee Bryson _____	Trustee Pritchard _____
	Trustee Brick _____

8. **RESOLUTION NO. 1011-55 - CLASSIFIED SCHOOL EMPLOYEES WEEK:** DISCUSSION/
Approval of Resolution No. 1011-55, recognition of May 16 - 20, 2011, as “Classified ACTION
School Employees Week.” Capistrano Unified School District traditionally recognizes Vote _____
the contributions of its classified employees during this special week. This resolution Page 3
serves as official notice to all classified employees, as well as all citizens of **EXHIBIT B**
Capistrano Unified School District, of the Board's recognition of the excellent service
provided by its classified personnel.
Contact: Marcus Walton, Chief Communication Officer

Staff Recommendation

It is recommended the Board President recognize Marcus Walton, Chief Communications Officer, who will present this item.

Following discussion, it is recommended the Board of Trustees approve Resolution No. 1011-55, Classified School Employees Week.

Motion by _____ Seconded by _____
ROLL CALL:
Student Advisor Larson Ishii _____
Trustee Addonizio _____ Trustee Hatton _____
Trustee Alpay _____ Trustee Palazzo _____
Trustee Bryson _____ Trustee Pritchard _____
Trustee Brick _____

9. RESOLUTION NO. 1011-51 - EXECUTION OF THE SETTLEMENT AGREEMENT, FIRST AMENDED IMPACT MITIGATION AGREEMENT, AND FIRST AMENDED AND RESTATED JOINT COMMUNITY FACILITIES AGREEMENT RELATING TO REDUCING SPECIAL TAXES OF COMMUNITY FACILITIES DISTRICT NO. 2005-1: DISCUSSION/
ACTION
Vote _____
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EXHIBIT C

The Board of Trustees, acting solely as the approving agent for the Capistrano Unified School District, is requested to approve and adopt Resolution No. 1011-51, which authorizes the execution of the following three agreements on behalf of the District:

1. Settlement Agreement.
2. First Amended Impact Mitigation Agreement.
3. First Amended and Restated Joint Community Facilities Agreement Relating to Reducing Special Taxes of Community Facilities District No. 2005-1.

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

Staff Recommendation:

It is recommended the Board President recognize Ron Lebs, Deputy Superintendent, Business and Support Services, who will present this item.

Following discussion, it is recommended the Board adopt Resolution No. 1011-51, Resolution of the Board of Trustees of the Capistrano Unified School District, Acting as the Legislative Body of Community Facilities District No. 2005-1 of the Capistrano Unified School District (Whispering Hills), Approving and Authorizing the Execution of First Amended Impact Mitigation Agreement and First Amended and Restated Joint Community Facilities Agreement Relating to Reducing Special Taxes of Community Facilities District No. 2005-1.

Motion by _____ Seconded by _____
ROLL CALL:
Student Advisor Larson Ishii _____
Trustee Addonizio _____ Trustee Hatton _____
Trustee Alpay _____ Trustee Palazzo _____
Trustee Bryson _____ Trustee Pritchard _____
Trustee Brick _____

10. RESOLUTION NO. 1011-52 - EXECUTION OF THE FIRST AMENDED IMPACT MITIGATION AGREEMENT, AND FIRST AMENDED JOINT COMMUNITY FACILITIES AGREEMENT RELATING TO REDUCING SPECIAL TAXES OF COMMUNITY FACILITIES DISTRICT NO. 2005-1: DISCUSSION/
ACTION
Vote _____
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EXHIBIT D

The Board of Trustees, acting as the legislative body of Community Facilities District 2005-1 (Whispering Hills) of the Capistrano Unified School District, is requested to approve and adopt Resolution No. 1011-52, which authorizes the execution of the following three agreements on behalf of the District:

1. Settlement Agreement.
2. First Amended Impact Mitigation Agreement.
3. First Amended and Restated Joint Community Facilities Agreement Relating to Reducing Special Taxes of Community Facilities District No. 2005-1.

Staff Recommendation:

It is recommended the Board President recognize Ron Lebs, Deputy Superintendent, Business and Support Services, who will present this item.

Following discussion, it is recommended the Board adopt Resolution No. 1011-52, Resolution of the Board of Trustees of the Capistrano Unified School District, Acting as the Legislative Body of Community Facilities District No. 2005-1 of the Capistrano Unified School District (Whispering Hills), Approving and Authorizing the Execution of First Amended Impact Mitigation Agreement and First Amended Joint Community Facilities Agreement Relating to Reducing Special Taxes of Community Facilities District No. 2005-1.

Motion by _____	Seconded by _____
ROLL CALL:	
Student Advisor Larson Ishii _____	
Trustee Addonizio _____	Trustee Hatton _____
Trustee Alpay _____	Trustee Palazzo _____
Trustee Bryson _____	Trustee Pritchard _____
	Trustee Brick _____

- 11. PUBLIC HEARING: RESOLUTION NO. 1011-53 – CONTINUING THE PUBLIC HEARING FOR CONSIDERATION OF SUPPLEMENTAL SPECIAL TAX REVISION PROCEEDINGS REDUCING SPECIAL TAXES OF FACILITIES DISTRICT NO. 2005-1 (WHISPERING HILLS):**
- DISCUSSION/
ACTION
Vote _____
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EXHIBIT E

The Board of Trustees, acting as the legislative body of Community Facilities District 2005-1 (Whispering Hills) of the Capistrano Unified School District, is requested to approve and adopt Resolution No. 1011-53, which continues the public hearing related to the consideration of altering the rate and method of apportionment and reducing the levy of special taxes within Community Facilities District No. 2005-1.
Contact: Ron Lebs, Deputy Superintendent, Business & Support Services

Staff Recommendation:

Following the Public Hearing, it is recommended the Board approve Resolution No. 1011-53, entitled “Resolution of the Board of Trustees of the Capistrano Unified School District, Acting as the Legislative Body of the Community Facilities District No. 2005-1 of the Capistrano Unified School District (Whispering Hills), Continuing Public Hearing for Consideration of Altering the Rate and Method of Apportionment and Reducing the Levy of Special Taxes within Community Facilities District No. 2005-1.”

Motion by _____	Seconded by _____
ROLL CALL:	
Student Advisor Larson Ishii _____	
Trustee Addonizio _____	Trustee Hatton _____
Trustee Alpay _____	Trustee Palazzo _____
Trustee Bryson _____	Trustee Pritchard _____
	Trustee Brick _____

12. RESOLUTION NO. 1011-48 – ROLE OF BOARD: POWERS AND RESPONSIBILITIES:

At the March 23, 2011, Board meeting, Trustees reviewed a previously adopted resolution on the role, powers, and responsibilities of the Board. The Board suggested numerous revisions and changes in the previous resolution that were incorporated and presented at the April 11, 2011, Board meeting. Additional changes were made by the Board and Trustees voted to continue the item to the April 27 meeting. Trustee Hatton present a revised version of the resolution for Board consideration and asked that this item be continued to the May 9, 2011, Board meeting.

Contact: Joseph M. Farley, Superintendent

Staff Recommendation:

Following Trustee review of the changes to this resolution, it is requested the Board adopt Resolution No. 1011-48, Role of the Board: Powers and Responsibilities, reaffirming the statement regarding the general powers and responsibilities of the Board.

Motion by _____	Seconded by _____
ROLL CALL:	
Student Advisor Larson Ishii _____	
Trustee Addonizio _____	Trustee Hatton _____
Trustee Alpay _____	Trustee Palazzo _____
Trustee Bryson _____	Trustee Pritchard _____
	Trustee Brick _____

DISCUSSION/
ACTION
Vote _____
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EXHIBIT F

13. RESOLUTION NO. 1011-56 – ADOPTION OF PROPOSED DECISION IN THE MATTER OF TEACHER LAYOFF HEARINGS:

At its meeting of February 22, 2011, the Board of Trustees adopted Resolution Number 1011-39, which eliminated or reduced particular kinds of services or programs being provided by certificated staff and authorized the issuance of release from their temporary employment contract effective the end of the 2010-2011 school year. Temporary release notices were issued prior to the March 15, 2011 certificated layoff timeline.

Under the layoff statutes, temporary certificated employees hired using categorical funding sources, as defined by Ed Code §44909 have limited due process rights. On Tuesday, April 12, 2011, the District conducted a hearing before an administrative law judge provided by the California Office of Administrative hearings. Administrative law judge, Daniel Juarez issued a proposed decision in the matter on May 4, 2011.

The Administrative Law Judge’s decision confirmed that the District fulfilled all of its legal obligations to reduce and/or eliminate services impacting a total of 348 employees. In order to preserve the Board’s ability to maximize all budget flexibility options, while at the same time honoring their intention to save employee jobs, staff recommends to issue final release notices to the 348 employees. The statutory deadline does not allow for noticing employees after the May 14th deadline; however, the District may rehire some or all teachers after that date. As the fiscal status of the District is further defined through the month of May and June, employees may be rehired. All teachers recommended to receive final notices are listed in Exhibit G.

Contact: Jodee Brentlinger, Assistant Superintendent, Personnel Services

DISCUSSION/
ACTION
Vote _____
Page 24a
EXHIBIT G

Staff Recommendation

It is recommended the Board adopt final Resolution 1011-56, the proposed decision of the Administrative Law Judge, and authorize final release notices in accordance with this decision.

Motion by _____ Seconded by _____

ROLL CALL:

Student Advisor Larson Ishii _____	
Trustee Addonizio _____	Trustee Hatton _____
Trustee Alpay _____	Trustee Palazzo _____
Trustee Bryson _____	Trustee Pritchard _____
	Trustee Brick _____

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| <p>14. REPORT TO THE BOARD OF TRUSTEES REGARDING THE DECEMBER 2010 STORM AND FLOOD DAMAGE:</p> | <p>INFORMATION/
DISCUSSION
Page 25
EXHIBIT H</p> |
|---|---|

The storm events of December 2010 significantly impacted many sites throughout the District. This report provides a brief summary of flood-related activities at the impacted facilities, discusses the financial impact to the District of the remediation work, and highlights the remaining resources and requirements to complete the work to storm-damaged sites and facilities.

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

Staff Recommendation:

It is recommended the Board President recognize Ron Lebs, Deputy Superintendent, Business and Support Services, who will present this item and answer any questions Trustees may have. This is an information item only and no Board action is necessary.

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| <p>15. FIRST READING – REVISIONS TO BOARD POLICIES 6174 AND 6174.1:</p> | <p>INFORMATION/
DISCUSSION
Page 33
EXHIBIT I</p> |
|--|---|

Current Board Policy (BP) 6174 explains the English learner program in the District. BP 6174.1 defines the parental waiver process for parents of English learners after the passing of Proposition 227. Since the adoption of BP 6174.1 in 1998 and BP 6174 in 1999, there is a more refined interpretation of what the laws mean and how they work together to create an education program for English learners. Therefore, the BP needs to be updated and combined into one policy. There are no financial implications associated with the agenda item. Proposed additions to the BP are underlined; deletions are struck through. BP 6174.1 will be deleted and combined into BP 6174.

Contact: Julie Hatchel, Assistant Superintendent, Education Services

Staff Recommendation:

It is recommended the Board President recognize Julie Hatchel, Assistant Superintendent, Education Services, who will present the revisions to Board Policy 6174, *Education for Students of Limited English Proficiency* and Board Policy 6174.1, *Proposition 227: Parental Exception Waiver Procedures*.

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| <p>16. DIVISION OF STATE ARCHITECT UPDATE:</p> | <p>INFORMATION/
DISCUSSION
Page 43
EXHIBIT J</p> |
|---|---|

Update of progress of the Division of State Architect Construction and Project listing. There is no change from the information provided to the Board at its April 11, 2011, meeting and no financial impact at this time. There will be a fee to reopen the closed applications to finalize and close them with certification when all documentation is completed.

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

Staff Recommendation:

It is recommended the Board President recognize Ron Lebs, Deputy Superintendent, Business and Support Services, who will provide the DSA update and answer any questions Trustees may have.

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.

CURRICULUM & INSTRUCTION

17. **EXPUNGING OF EXPULSION RECORD:** Approval of expunging a student record. Due to the confidential nature of expunging a student expulsion record, the supporting information is provided to Trustees under separate cover.
Contact: Julie Hatchel, Assistant Superintendent, Education Services
18. **EXPULSION READMISSION:** Approval to readmit a student from expulsion. Due to the confidential nature of the student expulsion readmission, the supporting information is provided to Trustees under separate cover.
Contact: Julie Hatchel, Assistant Superintendent, Education Services
19. **PETITION TO WAIVE CALIFORNIA HIGH SCHOOL EXIT EXAM:**
Approval to waive Education Code §60851(c) and Board Policy 6162.52 in accordance with §60851(c) approving one student as having met the requisite standards, with modifications, to pass the CAHSEE subtest in mathematics, case number 1011-021. California Education Code §60851(c) and Board Policy 6162.52 provide authority for the Board of Trustees to review and approve waivers for special education students to pass the California High School Exit Examination (CAHSEE) with modifications stated in the pupil's Individualized Education Program. Supporting information for this item is provided to Trustees under separate cover so that individual student rights under the Family Educational Rights and Privacy Act are protected.
Contact: Julie Hatchel, Assistant Superintendent, Education Services
20. **JOINT POWERS AGREEMENT FOR SUPPLEMENTAL LAW ENFORCEMENT SERVICES:**
The Orange County Sheriff's Department has played a vital role in assisting with school safety throughout the District. For many years, the Orange County Sheriff's Department has provided security for District extracurricular events during the school year and high schools are requesting that this service be continued for the 2011-2012 school year. The idea behind having law enforcement services on duty at events is to be proactive rather than reactive in addressing potentially dangerous situations. The cost of the deputy positions are covered by the high school Associated Student Body groups.
Contact: Julie Hatchel, Assistant Superintendent, Education Services
21. **MEMBERS OF THE SPECIAL EDUCATION LOCAL PLAN AREA COMMUNITY ADVISORY COMMITTEE:**
Approval to appoint the following candidates as Community Advisory Committee (CAC) parent representatives and voting members for the 2011-2012 and 2012-2013 school years: Ms. Barbara Kakuda, Ms. Veronica Hoggatt, and Ms. Lee Ann Addison. In accordance with the California Education Code §56170, each SELPA shall establish a Special Education CAC with parents of special education students forming the majority. Based on the bylaws of the SELPA, a committee of voting members is established annually, comprised of District parents, teachers, administrators, and agency representatives that serve District students. The term of appointment for voting members is two years, staggered annually. Currently there are voting members for the 2010-2011 and 2011-2012 school years.

22. INSTRUCTIONAL MATERIALS RECOMMENDED FOR ADOPTION – HIGH SCHOOL TEXTBOOK – INTERNATIONAL BACCALAUREATE ENGLISH:

Adoption of *The Assault*, authored by Harry Mulisch, published by Pantheon Books, 1985, as a literature selection for International Baccalaureate English III, and IV, in grades 11 and 12. *The Assault* is an engaging psychological and political thriller that explores the effects of the Nazi occupation of Holland in World War II and provides students with compelling topics for discussion and composition. The proposed textbook has been reviewed and approved by the Instructional Materials Review Committee. A copy of this textbook is on display in the Board room. The book will be purchased through site funds.

Contact: Julie Hatchel, Assistant Superintendent, Education Services

BUSINESS & SUPPORT SERVICES

23. PURCHASE ORDERS, COMMERCIAL WARRANTS, AND PREVIOUSLY BOARD-APPROVED BIDS AND CONTRACTS:

Page 57
EXHIBIT L

Approval of purchase orders (Attachment 1) and commercial warrants (Attachment 2) as listed. The purchase orders and commercial warrants included in this item have previously been authorized as part of the District's budget approval process. The purchase orders total \$1,739,597.44; the commercial warrants total \$9,737,230.45. Attachment 3 is a list of previously Board-approved bids and contracts to assist in the review of the purchase order and commercial warrant listings.

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

24. EMPLOYMENT CONTRACT, DEPUTY SUPERINTENDENT, BUSINESS & SUPPORT SERVICES:

Page 97
EXHIBIT M

On February 25, 2008, the Board of Trustees approved the employment of Ronald N. Lebs, Deputy Superintendent, Business & Support Services. Mr. Lebs' employment contract expires on June 30, 2011. This item presents the proposed employment contract for a three-year period commencing on July 1, 2011, through June 30, 2014. This contract mirrors the original contract and reflects changes that were made through the approval of two addendums. There is no financial impact as this item changes only the term of Mr. Lebs' contract, not the salary or benefits.

Contact: Joseph M. Farley, Superintendent

25. MASTER CONTRACT - DEBORAH HEBERT, INC., NON-PUBLIC AGENCY:

Page 105
EXHIBIT N

Approval of a master contract for special education services to be provided by Deborah Hebert, Inc., a non-public agency. Per agreed upon rates in Orange County, the cost for occupational therapy per individual student is \$85 per hour at school, and \$120 per hour home/hospital and clinic 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 therapy 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

26. **MASTER CONTRACT - RAINBOW CONNECTION, NON-PUBLIC AGENCY:** Page 139
EXHIBIT O
Approval of a master contract for special education services to be provided by Rainbow Connection, a non-public agency. Per agreed upon rates in Orange County, the cost for speech and language therapy per individual student is \$103 per hour and speech and language evaluations per individual student is \$155-250 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 therapy or evaluation 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
27. **MASTER CONTRACT – THERAPEUTIC EDUCATION CENTER-CANAL STREET, NON-PUBLIC SCHOOL:** Page 173
EXHIBIT P
Approval of a master contract for special education services to be provided by Therapeutic Education Center-Canal Street, a non-public school. Per agreed upon rates in Orange County, the cost for tuition per individual student is \$163 a day, additional instructional assistance is \$105 per day, and transportation round trip is \$42-\$62 per 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 educational 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
28. **MASTER CONTRACT – THERAPEUTIC EDUCATION CENTER-SANTA ANA, NON-PUBLIC SCHOOL:** Page 207
EXHIBIT Q
Approval of a master contract for special education services to be provided by Therapeutic Education Center-Santa Ana, a non-public school. Per agreed upon rates in Orange County, the cost for tuition per individual student is \$163 a day, additional instructional assistance is \$105 per day, and transportation round trip is \$42-\$62 per 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 educational 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
29. **MASTER CONTRACT – OCEAN VIEW SCHOOL, NON-PUBLIC SCHOOL:** Page 241
EXHIBIT R
Approval of a master contract for special education services to be provided by Ocean View School, a non-public school. Per agreed upon rates in Orange County, the cost for tuition per individual student is \$152 a day, speech and language therapy is \$120 per hour, and transportation round trip is \$60 per 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 educational 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

30. **MASTER CONTRACT – BLIND CHILDREN’S LEARNING CENTER, NON-PUBLIC SCHOOL:** Page 275
EXHIBIT S
 Approval of a master contract for special education services to be provided by Blind Children’s Learning Center, a non-public school. Per agreed upon rates in Orange County, the cost for tuition per individual student is \$139 a day, speech and language therapy, occupational therapy, occupational therapy consultation, itinerant teaching, orientation and mobility, evaluations, and assessments are \$90 per hour; additional instructional assistance is \$15 per hour 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 educational 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
31. **MASTER CONTRACT – SPEECH AND LANGUAGE DEVELOPMENT CENTER, NON-PUBLIC SCHOOL:** Page 309
EXHIBIT T
 Approval of a master contract for special education services to be provided by Speech and Language Development Center, a non-public school. Per agreed upon rates in Orange County, the cost for tuition per individual student is \$135.50 a day, speech and language therapy, occupational therapy, physical therapy and adapted physical education are \$81.50 per hour, additional instructional assistance is \$14 per hour, and transportation round trip is \$34-\$40.50 per 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 educational 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
32. **MASTER CONTRACT – PYRAMID AUTISM CENTER, NON-PUBLIC SCHOOL:** Page 343
EXHIBIT U
 Approval of a master contract for special education services to be provided by Pyramid Autism Center, a non-public school. Per agreed upon rates in Orange County, the cost for tuition per individual student is \$225 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 educational 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
33. **RESOLUTION NO. 1011-50 - TRANSITION PARTNERSHIP PROJECT INTERAGENCY AGREEMENT WITH THE DEPARTMENT OF REHABILITATION:** Page 377
EXHIBIT V
 Approval of Resolution No. 1011-50, authorizes staff to execute the Transition Partnership Project Interagency Agreement with the Department of Rehabilitation. The agreement provides funding to the District and the local Department of Rehabilitation Office to transition students/clients into competitive employment. Specifically, the funding provides for case management staff, pre-employment training, job placement, staff development services, and clerical support. These services are conducted collaboratively between the District and the local Department of Rehabilitation Office. In addition, the District will also receive the services of two Department of Rehabilitation counselors to plan and coordinate the provision of support services. The District will receive, on a monthly reimbursement basis, a total of approximately \$596,331 per year.

Due to the size, documents will be posted online in the District Board Agendas and Supporting Documentation page. The documents are also on file in the Purchasing Department.

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

- 34. AGREEMENT WITH LAGUNA BEACH UNIFIED SCHOOL DISTRICT REGARDING COSTS FOR SPECIAL EDUCATION STUDENT:** Page 381
EXHIBIT W
- Approval for the District to enter into an agreement to split the excess costs of educating this student with Laguna Beach Unified School District. It is occasionally appropriate for school districts to share the cost of educating special education students. Currently, Laguna Beach Unified School District is paying all costs for a specific student to attend a non-public school located outside the boundaries of that district. However, the student resides both in Laguna Beach Unified School District and in Capistrano Unified School District, as parents have joint physical and legal custody. The estimate of the total financial impact is \$68,000 per year, which would be paid out of Special Education funds.
- Contact: Ron Lebs, Deputy Superintendent, Business & Support Services*
- 35. AGREEMENT FOR TELEVISION BROADCASTING AND CONSULTING SERVICES – PBS SOCAL/KOCE-TV FOUNDATION:** Page 385
EXHIBIT X
- Approval of an agreement for television broadcasting and consulting services to be provided by PBS SoCal/KOCE-TV Foundation for Carl Hankey K-8 for the remainder of the 2010-2011 school year. Every year the District enters a master agreement with PBS SoCal/KOCE-TV Foundation for those schools that desire to receive services. At the time that agreement was signed, Carl Hankey did not choose to participate. This agreement will provide Carl Hankey with the same services that other schools are receiving for the balance of the school year. This agreement provides teachers with instructional television materials and training on the effective use of television and Discovery Streaming for instruction in the classroom. As indicated in the agreement, the cost for this service will be \$0.44 per student for 711 students, not to exceed \$312.84, funded by Economic Impact Aid.
- Contact: Ron Lebs, Deputy Superintendent, Business & Support Services*
- 36. INDEPENDENT CONTRACTOR AGREEMENT – EVALUATION SERVICES FOR AFTER SCHOOL EDUCATION AND SAFETY PROGRAM (ASES) AT VIEJO ELEMENTARY SCHOOL, V. PATRICIA BEYER:** Page 391
EXHIBIT Y
- Approval of an independent contractor agreement for evaluation services for the After School Education and Safety (ASES) program at Viejo Elementary School to be provided by V. Patricia Beyer. As indicated on the rate sheet, the cost for evaluation services for the 2011-2012 school year will be \$125 per hour, on an as-needed basis, paid for out of ASES grant funds. The total expenditures under this contract are estimated to be \$1,345 for the grant-required services provided by this vendor.
- Contact: Ron Lebs, Deputy Superintendent, Business & Support Services*
- 37. INDEPENDENT CONTRACTOR AGREEMENT – SEGERSTROM CENTER FOR THE ARTS, ARTS TEACH ASSEMBLIES AND WORKSHOPS:** Page 399
EXHIBIT Z
- Approval of an independent contractor agreement for Arts Teach assemblies and workshops to be provided by Segerstrom Center for the Arts throughout the District. As indicated on the rate sheet, the cost for the assemblies and workshops vary by subject. This agreement will set pricing for the 2011-2012 school year, and is on an as-needed basis. The total expenditures under this contract cannot be determined at this time, as it is unknown how many sites would request the services provided by this vendor. The actual dollar amount and budget code will be determined by purchase orders submitted for Board approval.
- Contact: Ron Lebs, Deputy Superintendent, Business & Support Services*

38. **INDEPENDENT CONTRACTOR AGREEMENT – CASBO, ASB ACCOUNTING WORKSHOP:** Page 409
EXHIBIT AA
Approval of an independent contractor agreement for an ASB accounting workshop to be provided by CASBO for District staff. As indicated on the rate sheet, the costs for the workshop plus expenses are estimated to be \$4,500. This expenditure will be paid out of the general fund.
Contact: Ron Lebs, Deputy Superintendent, Business & Support Services
39. **INDEPENDENT CONTRACTOR AGREEMENT – IMPLEMENTATION SUPPORT AND TRAINING FOR CONTRACT MANAGEMENT SOFTWARE, D.R. MCNATTY & ASSOCIATES, INC.:** Page 417
EXHIBIT BB
Approval of an independent contractor agreement for implementation support and training for Oracle Primavera contract management software program provided by D.R. McNatty & Associates, Inc. This contract management tool is used by the District for all public works projects. As indicated on the rate sheet, the cost for implementation consulting is provided at \$175 per hour, and training is provided at \$225 per hour. Total costs associated with this contract are estimated to be \$5,000 and will be funded by project.
Contact: Ron Lebs, Deputy Superintendent, Business & Support Services
40. **INDEPENDENT CONTRACTOR AGREEMENT – POSITIVE DISCIPLINE PRESENTATION AT MARCO FORSTER MIDDLE SCHOOL, INSTRUCTIONAL SUPPORT SERVICES, INC.:** Page 425
EXHIBIT CC
Approval of independent contractor agreement for a presentation about positive discipline for the Parent Involvement Program at Marco Forster Middle School provided by Instructional Support Services, Inc. As indicated on the rate sheet, the cost for the presentation, plus expenses, is a total fee not to exceed \$3,250, paid by Title I funds.
Contact: Ron Lebs, Deputy Superintendent, Business & Support Services
41. **INDEPENDENT CONTRACTOR AGREEMENT – LABOR COMPLIANCE MONITORING, KERN COUNTY SUPERINTENDENT OF SCHOOLS:** Page 433
EXHIBIT DD
Approval of independent contractor agreement for a third party labor compliance monitoring services related to the construction of the Capistrano Valley High School performing arts theater to be provided by Kern County Superintendent of Schools. As indicated on the rate sheet, the cost for labor compliance monitoring services will be \$67,000. Labor compliance monitoring is required for this project and will be funded by CFD 87-1.
Contact: Ron Lebs, Deputy Superintendent, Business & Support Services
42. **ADVERTISE BID NO. 1112-01 – AUDIO VISUAL EQUIPMENT:**
Approval to advertise for bids for audio visual equipment used throughout the District. This bid allows the District to update the standard list of audio visual equipment with current brands and models and set pricing for the 2011-2012 school year. The total expenditures under this contract are estimated to be \$300,000 depending upon availability of funds. Audio visual equipment may be funded through many sources such as gifts, site funds, and grants.
- Due to the size, documents will be posted online in the District Board Agendas and Supporting Documentation page. The documents are also on file in the Purchasing Department.
Contact: Ron Lebs, Deputy Superintendent, Business & Support Services

43. ADVERTISE BID NO. 1112-05 – ELECTRICAL SUPPLIES AND MATERIALS:

Approval to advertise for bids for electrical supplies and materials. This bid allows the District to establish a contract with an approved vendor with set pricing for the 2011-2012 school year. This contract will enable District staff to procure supplies and materials used to make routine repairs to all sites within the District. The total expenditures under this contract are estimated to be \$100,000, which will be funded from the deferred maintenance account, the routine restricted maintenance account, and site funds.

Due to the size, documents will be posted online in the District Board Agendas and Supporting Documentation page. The documents are also on file in the Purchasing Department.

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

44. AWARD OF BID NO. 1011-13 – SNACK AND BEVERAGE PRODUCTS, A&R WHOLESALE DISTRIBUTORS, INC.:

Page 443
EXHIBIT EE

Approval for award of bid for snack and beverage products to A&R Wholesale Distributors, Inc. This contract provides snack and beverage products for all school sites and the central kitchen and sets pricing for the initial 12-month period. The contract may be extended by mutual agreement and upon Board approval, for a renewal term not to exceed two additional one-year periods. The total annual expenditures under this contract are estimated to be \$600,000, funded by Food and Nutrition Services.

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

45. AWARD BID NO. 1011-14 – GROCERY PRODUCTS, A&R WHOLESALE DISTRIBUTORS INC., GOLD STAR FOODS, SYSCO LA, AND CAMPUS FOODS:

Page 463
EXHIBIT FF

Approval for award of bid for grocery products to the following vendors: A&R Wholesale Distributors, Inc., Gold Star Foods, Sysco LA, and Campus Foods. These contracts provide grocery products for all school sites and the central kitchen and sets pricing for the initial 12-month period. The contracts may be extended by mutual agreement and upon Board approval, for a renewal term not to exceed two additional one-year periods. The total annual expenditures under this contract are estimated to be \$129,000, funded by Food and Nutrition Services.

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

PERSONNEL SERVICES

46. RESIGNATIONS/RETIREMENT/EMPLOYMENT - CLASSIFIED EMPLOYEES:

Page 525
EXHIBIT GG

Approval of the activity list for employment, separation, and additional assignments of classified employees. These positions will be charged to the appropriate fund and are included in the adopted budget.

Contact: Jodee Brentlinger, Assistant Superintendent, Personnel

47. RESIGNATIONS/RETIREMENT/EMPLOYMENT – CERTIFICATED EMPLOYEES:

Page 537
EXHIBIT HH

Approval of the activity list for employment, separation, and additional assignments of certificated employees. These positions will be charged to the appropriate fund and are included in the adopted budget.

Contact: Jodee Brentlinger, Assistant Superintendent, Personnel

CAPISTRANO UNIFIED SCHOOL DISTRICT
BOARD OF TRUSTEES

33122 Valle Road
San Juan Capistrano, CA 92675

ADDENDUM
to
May 9, 2011 Board Agenda

DISCUSSION/ACTION ADDITION

14A REVISION TO BOARD MEETING CALENDAR:

This item is being placed on the agenda at the request of Trustee Alpay for Board consideration of revising the 2011 School Board Meeting Schedule by rescheduling the Wednesday, May 25, 2011, Board meeting to another night in May. The reason for the request is due to San Clemente High School and Tesoro High School Achievement Awards scheduled for May 25 and Trustee participation in these events.

Contact: Joseph M. Farley, Superintendent

Staff Recommendation:

It is recommended the Board President recognize Trustee Alpay to present this item. Following discussion, it is recommended the Board approve an alternate date for the second meeting in May.

CAPISTRANO UNIFIED SCHOOL DISTRICT
BOARD OF TRUSTEES

33122 Valle Road
San Juan Capistrano, CA 92675

ADDENDUM
to
May 9, 2011 Board Agenda

CONSENT CALENDAR ADDITION

CURRICULUM AND INSTRUCTION

22A NAMING OF THE INDEPENDENT STUDY HIGH SCHOOL-WEST VIEW ACADEMY:

Approval of naming the independent study high school West View Academy. On April 11, 2011, the Board of Trustees approved moving forward in the formation of an independent study high school and establishing a committee of the Board to determine the name for the new high school. A name is required to register for a CDS code. Board Policy 7511 states the name can include geographical locations within the District boundaries or names significant to the community. The committee of the Board met on May 3 to discuss names and their implications. The consensus of the committee was to name the new independent high school to reflect a general geographical location since students will attend from all parts of the District and to communicate it offers a specialized educational program.

Contact: Julie Hatchel, Assistant Superintendent, Education 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 WEDNESDAY, MAY 25, 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.