

CAPISTRANO UNIFIED SCHOOL DISTRICT  
BOARD OF TRUSTEES  
MINUTES – REGULAR MEETING  
FEBRUARY 13, 2012  
EDUCATION CENTER – BOARD ROOM

President Pritchard called the meeting to order at 5:30 p.m. The Board recessed to closed session to: discuss CSEA/CUEA/CUMA/Teamsters negotiations and Student Expulsions.

Closed session recessed at 6:31 p.m.

The regular meeting of the Board reconvened to open session and was called to order by President Pritchard at 7:00 p.m.

The Pledge of Allegiance was led by San Clemente High School Student Sara Kebede.

Present: Trustees Addonizio, Alpay, Brick, Bryson, Hatton, Palazzo, Pritchard, and Student Advisor Ryan Pallas

**A CD of the Board meeting discussion related to each of the items on the public agenda is on file in the Superintendent's office as a matter of the permanent record. An audio recording of the meeting is available on the District website: [www.capousd.org](http://www.capousd.org)**

**Permanent Record**

It was moved by Trustee Alpay, seconded by Trustee Bryson, and motion carried unanimously to adopt the Board agenda.

**Adoption of the Board Agenda**

AYES: Trustees Addonizio, Alpay, Brick, Bryson, Hatton, Palazzo, Pritchard, and Student Advisor Ryan Pallas  
NOES: None  
ABSENT: None  
ABSTAIN: None

President Pritchard reported the following action taken during closed session:

**President's Report From Closed Session Meeting**

**Agenda Item #3 A– CSEA/CUEA/CUMA/Teamsters Negotiations:** The Board gave direction to staff.

**Agenda Item #3 C1 through C7 – Student Expulsions:**

The Board voted 7-0 to expel the following students by stipulated agreement: Case #2012-019, #2012-021, #2012-022, #2012-023, #2012-025, #2012-027, and #2012-028.

AYES: Trustees Addonizio, Alpay, Brick, Bryson, Hatton, Palazzo, and Pritchard  
NOES: None  
ABSENT: None  
ABSTAIN: None

San Clemente High School Student Sara Kebede was recognized for her project of collecting and donating shoes for Ethiopian athletes.

**Special Recognition**

Student Body President Tyler Bickel from San Juan Hills High School presented a report on activities taking place at the high school.

**Student Body Report**

Due to the number of requests to address the Board, it was moved by Trustee Alpay, seconded by Trustee Pritchard, and motion carried unanimously to suspend the maximum time requirement of 20 minutes for speakers, reduce each speaker's time to two minutes, and allow all speakers to address the Board.

**Oral  
Communications**

The following speakers addressed the Board:

- *Ross Velderrain, Ray Fenton, Tom Donnelly, Bob Picazo, and Mark Klein spoke in support of Eric Patton.*
- *Attorney Eric Hansen stated violations of Board policies cited in the charges against Eric Patton were inaccurate.*
- *David Carter congratulated Aliso Niguel High School's basketball and football teams for going to the playoffs.*
- *Stan Washbin spoke regarding the new state law, SB48 and appealed to the Board to base the focus of teaching social sciences on the roles played by important and influential Americans, not sexual orientation.*

**DISCUSSION/ACTION**

Interim Deputy Superintendent Robyn Phillips stated the District faces a large budget shortfall for the 2012-2013 school year that will require substantial spending reductions. This budget shortfall reflects the cumulative impact of five years of ongoing cuts in state funding for K-12 education and the elimination of federal funds. Dr. Phillips reported decisions need to be made in the coming months to determine how spending reductions will be made and implemented by the June 30, 2012, budget adoption deadline.

**Report on 2012-  
2013 District  
Budgeting and  
Finance  
Agenda Item 1**

Dr. Phillips presented a PowerPoint showing updated estimates of the District budget shortfall for 2012-2013, and the Governor's January Budget Proposal for 2012-2013. These projections considered the scenario if a proposed tax measure passes, as well as the scenario if the tax measure is defeated, thereby triggering additional cuts to K-12 education under the Governor's proposed budget. Dr. Phillips provided information on the options for addressing a budget shortfall of this magnitude and provided Trustees with the timeline for the 2012-2013 budget planning process.

Superintendent Farley introduced Dr. Alan Heslop and Dave Meyer of National Demographics Corporation (NDC) who provided a short PowerPoint presentation. Dr. Heslop stated at the January 25 meeting the Board adopted Plan J and the purpose of the presentation is for the final adoption of Plan J.

**Trustee Area  
Boundary  
Redistricting  
Agenda Item 2**

Trustee Hatton requested Plan J be amended by drawing the line down to Oso Parkway to include Tesoro High School in Trustee Area 7. Mr. Meyer stated to move Trustee Area 7 south would add only unpopulated census blocks with a zero population shift and would actually make the area more compact.

It was moved by Trustee Hatton, seconded by Trustee Alpay, and motion carried by a 5-2 vote to approve Plan J as amended to include Tesoro High School in Trustee Area 7, census block numbers 06059037056-002, 06059037056-003, 06059037056-004, 06059037056-005, 06059037056-006, 06059037056-007, 06059037056-009, 06059037056-010, 06059037056-017, and direct staff and consultants to amend street by street description of the lines accordingly.

AYES: Trustees Alpay, Brick, Bryson, Hatton, Pritchard, and Student Advisor Ryan Pallas

NOES: Trustees Addonizio and Palazzo

ABSENT: None

ABSTAIN: None

Trustee Alpay stated the ten criteria to guide the development of the new map of Trustee areas listed in Resolution No. 1112-32, on agenda page 8, were different from the eight criteria approved on November 14, 2011, in Resolution No. 1112-25, Establishing Criteria for Adjusting Trustee Area Boundaries.

**Adoption of the  
Official Trustee  
Area Map for  
Elections  
Agenda Item 3**

It was moved by Trustee Alpay, seconded by Trustee Pritchard, and motion carried by a 5-2 vote to approve Resolution No. 1112-32, Adopting the Official Trustee Area Map for Elections to the Board of Trustees, replacing the ten criteria on page 8 with the following:

1. Each Trustee area shall contain a nearly equal number of inhabitants.
2. Trustee area borders shall be drawn in a manner that complies with the Federal Voting Rights Act.
3. Trustee areas shall consist of contiguous territory in as compact a form as possible.
4. Trustee area borders shall respect communities of interest as much as possible.
5. Trustee area borders shall follow visible natural and man-made geographical and topographical features as much as possible.
6. Trustee area borders shall follow municipal boundaries as much as possible.
7. Trustee area borders shall take into consideration the location of schools.
8. Trustee areas known to be areas of higher-than-average population growth in the two to five years following this boundary line adjustment may be under populated within the population deviation amounts allowed by law.

AYES: Trustees Alpay, Brick, Bryson, Hatton, Pritchard, and  
Student Advisor Ryan Pallas

NOES: Trustees Addonizio and Palazzo

ABSENT: None

ABSTAIN: None

Interim Deputy Superintendent Tim Holcomb requested approval of Change Order No. 1 – Bid No. 1011-15 to Ohno Construction Company for the San Juan Hills High School Stadium Phase II project for the required bleacher replacement parts needed to complete construction. Mr. Holcomb explained the cost for bleacher replacement parts was anticipated by District staff, and an allowance of \$40,000 was established in the overall project budget.

**SJHHS Stadium  
Change Order  
Agenda Item 4**

Following discussion, it was moved by Trustee Addonizio, seconded by Trustee Bryson, and motion carried unanimously to approve Change Order No. 1 – Bid No. 1011-15 San Juan Hills High School Stadium Phase II Project to Ohno Construction Company.

Assistant Superintendent Julie Hatchel stated staff is seeking approval to pilot a high school Forensic Science course as part of the science electives offered at Aliso Niguel High School.

**Elective Course  
Pilot-High School  
Forensic Science  
Agenda Item 5**

Following discussion, it was moved by Trustee Bryson, seconded by Trustee Hatton, and motion carried unanimously to approve the high school Forensic Science pilot course at Aliso Niguel High School.

Assistant Superintendent Julie Hatchel stated staff is seeking approval to pilot an Introduction to Renewable and Sustainable Energy science course as part of the high school electives offered at Dana Hills High School. Mrs. Hatchel explained this project-based course is a foundation career technical education course in the energy and utilities industry sector focused on energy literacy in preparation for career opportunities in the emerging green economy.

**Elective Course  
Pilot-Introduction  
to Renewable and  
Sustainable Energy  
Agenda Item 6**

Following discussion, it was moved by Trustee Hatton, seconded by Trustee Alpay, and motion carried unanimously to approve an Introduction to Renewable and Sustainable Energy pilot course at Dana Hills High School.

Assistant Superintendent Julie Hatchel stated the Board approved piloting the Biotechnology course at Dana Hills High School in the fall and staff is now seeking final adoption of the Biotechnology course.

**Course Adoption -  
Biotechnology  
Agenda Item 7**

Following discussion, it was moved by Trustee Alpay, seconded by Trustee Bryson, and motion carried unanimously to approve the Biotechnology course as a course offering at Dana Hills High School.

Assistant Superintendent Jodee Brentlinger explained as employment laws change, it becomes necessary to update or create new policies. The Lactation Accommodation policy is a new Board policy to establish District guidelines to meet legal compliance requirements. This policy will be brought back to a future meeting for second reading.

**New Board Policy  
Agenda Item 8**

Assistant Superintendent Julie Hatchel presented revisions to this policy for first reading. Mrs. Hatchel explained Board Policy 5119, *Open Enrollment*, is being revised to update priority criteria for school placement. This update will allow siblings to continue to enroll beyond the published application deadline. This policy will be brought back to a future meeting for second reading.

**Board Policy  
Revision  
Agenda Item 9**

Interim Deputy Superintendent Tim Holcomb stated there were no updates to report this month.

**Division of State  
Architect Update  
Agenda Item 10**

President Pritchard announced agenda item 14 was being pulled from the Consent Calendar and will be brought back to a future meeting.

**President's  
Announcement**

President Pritchard asked Trustees for items they wished to pull from the Consent Calendar. Agenda items 16, 17, 19, 20, and 21 were pulled.

**Items Pulled from  
the Consent  
Calendar**

## **CONSENT CALENDAR**

It was moved by Trustee Alpay, seconded by Trustee Bryson, and motion carried unanimously to approve the following Consent Calendar items:

Minutes of the January 25, 2012, regular Board meeting and January 30, 2012, special Board meeting.

**Minutes  
Agenda Item 11**

Petition to waive California Education Code §60851(a) and Board Policy 6162.52 – California High School Exit Examination: Case #1112-008 through #1112-009.

**CAHSEE  
Agenda Item 12**

Readmission of students from expulsion: Case #2011-027, #2011-032, #2011-63, #2011-64, #2011-080, #2011-081, #2011-100, #2011-102, #2011-105, #2011-106, #2011-107, and #2011-111.

**Expulsion  
Readmission  
Agenda Item 13**

~~Adoption of a three year Expulsion Plan.~~ This item was pulled prior to the approval of the Consent Calendar.

~~**Expulsion Plan  
Agenda Item 14**~~

Purchase orders, warrants, and previously Board approved bids and contracts as listed.

**Purchase  
Orders/Warrants  
Agenda Item 15**

Education through music training, Richards Institute of Education and Research.	<b>Independent Contractor Agreement Agenda Item 18</b>
Allowance of attendance due to an emergency condition.	<b>Waiver Request Agenda Item 22</b>
Bid No. 1011-08, Milk and Dairy Products, Hollandia Dairy.	<b>Extension of Agreement Agenda Item 23</b>
Denial of Government Claim No. 12-99708DP.	<b>Government Claim Agenda Item 24</b>
Resignations, retirements, and employment of classified personnel.	<b>Resignations/ Retirements/ Employment (Classified Personnel) Agenda Item 25</b>
Resignations, retirements, and employment of certificated personnel.	<b>Resignations/ Retirements/ Employment (Certificated Personnel) Agenda Item 26</b>
Payment to District master teachers who supported a student teacher during the 2011 fall semester.	<b>Master Teacher Payment Agenda Item 27</b>
Authorization of coaches to provide second semester Physical Education credit.	<b>Coaches Agenda Item 28</b>
<p>ROLL CALL: AYES: Trustees Addonizio, Alpay, Brick, Bryson, Hatton, Palazzo, Pritchard, and Student Advisor Ryan Pallas</p> <p>NOES: None</p> <p>ABSENT: None</p> <p>ABSTAIN: None</p>	
Trustee Palazzo asked staff to explain the collection of developer fees. Interim Deputy Superintendent Tim Holcomb explained districts collect developer fees to mitigate the impact of development on the District's facilities needs.	<b>Annual and Five Year Reportable Fees Report Agenda Item 16</b>
Trustee Palazzo asked staff to explain what the fees can be used to pay for. Mr. Holcomb stated the fees can be used to pay for any facility needs related to the type of development that is occurring.	
Following discussion, it was moved by Trustee Palazzo, seconded by Trustee Bryson, and motion carried unanimously to approve Resolution No. 1112-31, Annual and Five-Year Reportable Fees Report for Fiscal Year 2010-2011.	

ROLL CALL: AYES: Trustees Addonizio, Alpay, Brick, Bryson, Hatton, Palazzo, Pritchard, and Student Advisor Ryan Pallas  
NOES: None  
ABSENT: None  
ABSTAIN: None

Trustee Palazzo asked staff why the Board is voting on this item after the training has occurred. Assistant Superintendent Julie Hatchel explained staff attended the training through the Orange County Department of Education (OCDE) on January 23. The contract was signed by OCDE on January 10 and returned to the District but this was the soonest staff was able to bring the contract to the Board for approval.

**Income Agreement  
Agenda Item 17**

It was moved by Trustee Palazzo, seconded by Trustee Hatton, and motion carried unanimously to approve the training services by the Orange County Superintendent of Schools.

Trustee Palazzo stated the contract had no maximum amount. Assistant Superintendent Julie Hatchel responded the fee was listed in the description of the item as \$9,640. Mrs. Hatchel stated when she checked with Purchasing staff, she was told this contract was approved in December but was being brought forth again because of a company name change.

**Independent  
Contractor  
Agreement  
Agenda Item 19**

Trustee Alpay questioned staff regarding the necessity to approve the contract again due to a name change and requested staff research the matter. Interim Deputy Superintendent Tim Holcomb stated staff would review District policy with regard to assignments and whether or not assignments need to come back to the Board for approval if only the name is changed. Mr. Holcomb added it may be required by the county as the county is very particular about the names they put on checks matching the contracts Trustees approve.

Following discussion, it was moved by Trustee Palazzo, seconded by Trustee Alpay, and motion carried unanimously to approve continuing the Supplemental Educational Tutoring Services, Sylvan Learning Center of Laguna Niguel, Operated by Sayva Learning LLC to a future meeting to allow staff the opportunity to research the necessity to approve a previously approved contract for a name change only.

Trustee Palazzo stated there is no dollar amount or maximum fee in this contract but expenditures are estimated to be \$18,000 in the agenda item's description paragraph. Assistant Superintendent Sara Jocham explained this is a special education contract and Ms. Block is needed to cover classes for a leave-of-absence employee. It is anticipated Ms. Block's services will be \$18,000.

**Independent  
Contractor  
Agreement  
Agenda Item 20**

Following discussion, it was moved by Trustee Palazzo, seconded by Trustee Alpay, and motion carried unanimously to approve speech language services to Marie K. Block with a Not-to-Exceed \$18,000 clause added in the contract.

Trustee Palazzo stated this agreement shows a start date of February 2 and the first payment due on February 6. Trustee Palazzo stated after contacting staff she found out the first payment has not been paid. Assistant Superintendent Julie Hatchel explained the site submitted this agreement to the District in late January but this was the soonest it could be brought to the Board for approval. Mrs. Hatchel recommended the Board approve the contract with minor amendments to the terms such as changing the start date to February 13 and the first payment due on February 17 as the program has not yet started at Carl Hankey K-8 School.

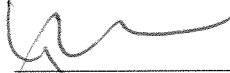
**Independent  
Contractor  
Agreement  
Agenda Item 21**

Following discussion, it was moved by Trustee Palazzo, seconded by Trustee Bryson, and motion carried unanimously to approve the Spanish International Baccalaureate Primary Years Program to CALINK Institute with an amendment to start the term of the contract on February 13 with the first payment due on February 17.

It was moved by Trustee Alpay, seconded by Trustee Addonizio, and motion carried unanimously to adjourn the meeting.

**Adjournment**

President Pritchard announced the meeting adjourned at 8:34 p.m.

  
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Board Clerk

  
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Secretary, Board of Trustees

*Minutes submitted by Jane Boos, Manager, Board Office Operations*