

BOARD OF TRUSTEES  
Regular Meeting

June 11, 2012

Closed Session 5:30 p.m.  
Open Session 7:00 p.m.

**AGENDA**

**CLOSED SESSION AT 5:30 P.M.**

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

**A. CONFERENCE WITH LABOR NEGOTIATORS**

Joseph M. Farley/Jodee Brentlinger/Clark Hampton/Jeff Bristow  
Employee Organizations:

- 1) Capistrano Unified Education Association (CUEA)
- 2) California School Employees Association (CSEA)
- 3) Teamsters
- 4) Unrepresented Employees (CUMA)  
(Pursuant to Government Code §54957.6)

**EXHIBIT 3A**

**B. STUDENT EXPULSIONS**

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

**EXHIBITS 3B1-B4**

**C. PUBLIC EMPLOYEE APPOINTMENT/EMPLOYMENT**

(Pursuant to Government Code §54957)

1. **Elementary Principals**
2. **Executive Director, Fiscal Services**
3. **Executive Director, Personnel Services/Compliance**
4. **Director III, Psychological Services**
5. **Supervisor III, Transportation Safety and Training**
6. **Program Specialist**

**EXHIBIT 3C1-C6**

**D. PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE**

(Pursuant to Government Code §54957)

**EXHIBIT 3D**

**PUBLIC HEARING: Agenda Item 1 – Resolution No. 1112-50, Use of Categorical Flexibility Funds**

**PUBLIC HEARING: Agenda Item 3 – Special Education Local Plan Area Annual Service Plan and Budget Plan**

**PUBLIC HEARING: Agenda Item 5 – Opportunities for Learning Charter School Petition Renewal**

**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.**

**PLEDGE OF ALLEGIANCE**

**ADOPTION OF THE AGENDA – ROLL CALL**

**REPORT ON CLOSED SESSION ACTION**

**SPECIAL RECOGNITIONS**

Julia Moss – Donated Instruments to District Music Programs  
Jesse Altamirano, Charlene Huber, Sonia LeTourneau, Karen Pedroza, Jane Peterson, and Susan Whitten – 2012 Classified Employees of the Year

**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 HEARINGS**

1. **RESOLUTION NO. 1112-50, ADOPTION OF THE 2012-2013 USE OF CATEGORICAL FLEXIBILITY FUNDS:** INFORMATION/  
DISCUSSION

The Board will conduct a public hearing on Resolution No. 1112-50, Adoption of the 2012-2013 Use of Categorical Flexibility Funds. Supporting information is located in Exhibit 2.

*CUSD Strategic Plan Pillar 5: Effective Operations*

*Contact: Clark Hampton, Deputy Superintendent, Business and Support Services*

Staff Recommendation

It is recommended the Board President open the public hearing, determine if members of the public have submitted requests to speak on the item, and after hearing any speakers, formally close the public hearing.

2. **RESOLUTION NO. 1112-50, ADOPTION OF THE 2012-2013 USE OF CATEGORICAL FLEXIBILITY FUNDS:** DISCUSSION/  
ACTION

The Education Finance Trailer Bill (SBX3 4) gives districts the authority to use categorical programs Tier III funds for any educational purpose. Approval of this resolution will authorize the District to transfer approximately \$21.3 million from restricted funds to the unrestricted general fund.

*CUSD Strategic Plan Pillar 5: Effective Operations*

*Contact: Clark Hampton, Deputy Superintendent, Business and Support Services*

Staff Recommendation

It is recommended the Board President recognize Clark Hampton, Deputy Superintendent, Business and Support Services, to present this item.

Page 1  
**EXHIBIT 2**

Following discussion, it is recommended the Board of Trustees approve Resolution No. 1112-50, Adoption of the 2012-2013 Use of Categorical Flexibility Funds.

Motion by \_\_\_\_\_  
ROLL CALL:  
Trustee Addonizio \_\_\_\_\_  
Trustee Alpay \_\_\_\_\_  
Trustee Brick \_\_\_\_\_

Seconded by \_\_\_\_\_  
Trustee Bryson \_\_\_\_\_  
Trustee Hatton \_\_\_\_\_  
Trustee Palazzo \_\_\_\_\_  
Trustee Pritchard \_\_\_\_\_

**3. SPECIAL EDUCATION LOCAL PLAN AREA ANNUAL SERVICE PLAN AND BUDGET PLAN:**

INFORMATION/  
DISCUSSION

The Board will conduct a public hearing on the Special Education Local Plan Area Annual Service Plan and Budget Plan. Supporting information is located in Exhibit 4.  
***CUSD Strategic Plan Pillar 3: Academic Achievement & Enrichment***  
***Contact: Sara Jocham, Assistant Superintendent, SELPA and Special Education Operations***

Staff Recommendation

It is recommended the Board President open the public hearing, determine if members of the public have submitted requests to speak on the item, and after hearing any speakers, formally close the public hearing.

**4. SPECIAL EDUCATION LOCAL PLAN AREA ANNUAL SERVICE PLAN AND BUDGET PLAN:**

DISCUSSION/  
ACTION

Each Special Education Local Plan Area is required to submit an Annual Service Plan and Budget Plan. The plans are required to be adopted at a public hearing. The Annual Service Plan must identify the Individualized Education Program services the District intends to provide at school locations within the District and at other public and private locations. The Service Plan also requires adoption of the California State Management Information System number codes to represent services such as 350 for individual and small group instruction and 415 for language and speech services. The Annual Budget Plan is required to identify expenditures in specific categories as specified by the California Department of Education.

Page 7  
**EXHIBIT 4**

***CUSD Strategic Plan Pillar 3: Academic Achievement & Enrichment***

***Contact: Sara Jocham, Assistant Superintendent, SELPA and Special Education Operations***

Staff Recommendation

It is recommended the Board President recognize Sara Jocham, Assistant Superintendent, SELPA and Special Education Operations, to present this item.

Following discussion, it is recommended the Board of Trustees approve the 2012-2013 Annual Service Plan and Budget Plan.

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

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

**5. OPPORTUNITIES FOR LEARNING CHARTER SCHOOL PETITION RENEWAL:**

INFORMATION/  
DISCUSSION

The Board will conduct a public hearing on the renewal of the Opportunities for Learning Charter School petition. Supporting information is located in Exhibit 6.

***CUSD Strategic Plan Pillar 3: Academic Achievement and Enrichment***

***Contact: Julie Hatchel, Assistant Superintendent, Education Services***

Staff Recommendation

It is recommended the Board President open the public hearing, determine if members of the public have submitted requests to speak on the item, and after hearing any speakers, formally close the public hearing.

6. **OPPORTUNITIES FOR LEARNING CHARTER SCHOOL PETITION RENEWAL:** DISCUSSION/  
ACTION  
Page 29  
**EXHIBIT 6**

A petition for the Opportunities for Learning Charter School (OFL) was approved by the District on February 25, 2002, with a subsequent five-year renewal on January 8, 2007. In accordance with Education Code §47605, OFL submitted a second charter petition renewal to the District on May 1, 2012. District staff has reviewed the petition and finds it to be in accordance with requirements for renewal set forth in Education Code §47605.

*CUSD Strategic Plan Pillar 3: Academic Achievement and Enrichment*

*Contact: Julie Hatchel, Assistant Superintendent, Education Services*

Staff Recommendation

It is recommended the Board President recognize Dr. Julie Hatchel, Assistant Superintendent, Education Services, to present this item.

Following discussion, it is recommended the Board of Trustees approve a five-year renewal of the Opportunities for Learning Charter School petition.

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

**DISCUSSION/ACTION ITEMS**

7. **2012-2013 FISCAL YEAR BUDGET UPDATE:** INFORMATION/  
DISCUSSION  
Page 73  
**EXHIBIT 7**
- The District is required by law to adopt a budget for the 2012-2013 fiscal year no later than June 30, 2012, for enactment on July 1, 2012. The budget for 2012-2013 will be based upon revenue assumptions outlined within the Governor's May Revise, as well as District-specific assumptions for revenue and expenditures.

As of the Third Interim Report, the District is projecting a budget shortfall of approximately \$30 million if the Governor's proposed November 2012 ballot measure passes and a \$51 million budget shortfall if the ballot measure does not pass, based on a projected \$441 per student funding cut. This shortfall reflects the changes outlined in the Governor's May Revise. Staff will present revised budget information reflecting the already approved 2012-2013 budget reductions, along with plans on how to close the remaining projected shortfall.

*CUSD Strategic Plan Pillar 5: Effective Operations*

*Contact: Clark Hampton, Deputy Superintendent, Business and Support Services*

Staff Recommendation

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

8. **RESOLUTION NO. 1112-49, AUTHORIZATION OF TEMPORARY INTERFUND TRANSFERS:** DISCUSSION/  
ACTION  
Page 74  
**EXHIBIT 8**

Education Code §42603 authorizes the Board of Trustees to temporarily transfer money held in any fund to another fund for payment of obligations by the District. Amounts transferred shall be repaid either in the same fiscal year, or in the following fiscal year if the transfer takes place within the final 120 calendar days of a fiscal year. Due to the nature of the current budget situation, it is necessary to secure flexibility to balance cash flow during the 2012-2013 school year. This agenda item requests Board approval to authorize interfund loans between funds. These loans (cash transfers) will be made to and between the general fund, and various other District funds.

*CUSD Strategic Plan Pillar 5: Effective Operations*

*Contact: Clark Hampton, Deputy Superintendent, Business and Support Services*

Staff Recommendation

It is recommended the Board President recognize Clark Hampton, Deputy Superintendent, Business and Support Services, to present this item.

Following discussion, it is recommended the Board of Trustees approve Resolution No. 1112-49, Authorization of Temporary Interfund Transfers.

Motion by _____	Seconded by _____
ROLL CALL:	
Trustee Addonizio _____	Trustee Bryson _____
Trustee Alpay _____	Trustee Hatton _____
Trustee Brick _____	Trustee Palazzo _____
	Trustee Pritchard _____

**9. FIRST READING – REVISION OF BOARD POLICY 5122, PROMOTION/ACCELERATION/RETENTION:**

Board Policy 5122, *Promotion/Acceleration/Retention*, is the governing policy outlining the promotion, acceleration, or retention of students. The policy was adopted in 1997 and last revised in 1999. The recommended changes will clarify the language and will comply with the law. There is no fiscal impact.

***CUSD Strategic Plan Pillar 3: Academic Achievement and Enrichment***

***Contact: Julie Hatchel, Assistant Superintendent, Education Services***

INFORMATION/  
DISCUSSION  
Page 76  
**EXHIBIT 9**

Staff Recommendation

It is recommended the Board President recognize Julie Hatchel, Assistant Superintendent, Education Services, who will provide information on this item and answer any questions Trustees may have. This is an information item only and no Board action is necessary.

**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:**

Approval of the May 9, 2012, special Board meeting and the May 23, 2012, regular Board meeting.

***Contact: Jane Boos, Manager, Board Office Operations***

Page 82  
**EXHIBIT 10**

**CURRICULUM & INSTRUCTION**

**11. PETITION TO WAIVE CALIFORNIA HIGH SCHOOL EXIT EXAM:**

Approval to waive California Education Code §60851(c) and Board Policy 6162.52 in accordance with §60851(c) for six students who have completed all requirements for passing the California High School Exit Examination (CAHSEE) subtest in Mathematics and/or English/Language Arts, case numbers 1112-034 through 1112-039. 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 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.

***CUSD Strategic Plan Pillar 3: Academic Achievement and Enrichment***

***Contact: Julie Hatchel, Assistant Superintendent, Education Services***

**12. 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.

*CUSD Strategic Plan Pillar 2: Safe and Healthy Schools*

*Contact: Julie Hatchel, Assistant Superintendent, Education Services*

**13. INSTRUCTIONAL MATERIALS RECOMMENDED FOR ADOPTION: HIGH SCHOOL ENGLISH/LANGUAGE ARTS – ADVANCED PLACEMENT LITERATURE AND COMPOSITION:**

Adoption of *All the Pretty Horses* written by Cormac McCarthy and published by Vintage Books ©1993. Tesoro High School is requesting the adoption of this title for use with Advanced Placement Literature and Composition in grade 12 as a supplemental title. This title has been approved by a vote of 11-0 by the Instructional Materials Review Committee. It would be adopted for a seven-year period. Purchases of this title would be paid with site funds.

*CUSD Strategic Plan Pillar 3: Academic Achievement and Enrichment*

*Contact: Julie Hatchel, Assistant Superintendent, Education Services*

**14. INSTRUCTIONAL MATERIALS RECOMMENDED FOR ADOPTION: HIGH SCHOOL MATH – MATH FOR THE COLLEGE BOUND:**

Adoption of *Statistical Reasoning in Sports* by Tabor & Franklin and published by Bedford, Freeman & Worth ©2013. Capistrano Valley High School is requesting the adoption of this title for use with Math for the College Bound in grade 12. This textbook has been approved by a vote of 11-0 by the Instructional Materials Review Committee. This title would be adopted for a seven-year period. Purchases of this title would be paid with site and/or District funds if available.

*CUSD Strategic Plan Pillar 3: Academic Achievement and Enrichment*

*Contact: Julie Hatchel, Assistant Superintendent, Education Services*

**15. INSTRUCTIONAL MATERIALS RECOMMENDED FOR ADOPTION: HIGH SCHOOL ENGLISH/LANGUAGE ARTS – EXPOSITORY READING & WRITING:**

Adoption of *Into the Wild* written by Jon Krakauer and published by Anchor Books ©1996; Adoption of *The Left Hand of Darkness* written by Ursula K. LeGuin and published by Ace Books ©1969. These two literature titles are being proposed for adoption Districtwide for use with a new course called Expository Reading & Writing for grade 12. These titles have been approved by a vote of 11-0 by a vote of the Instructional Materials Review Committee. They would be adopted for a seven-year period. Purchases of these titles would be paid with site funds and/or District funds if available.

*CUSD Strategic Plan Pillar 3: Academic Achievement and Enrichment*

*Contact: Julie Hatchel, Assistant Superintendent, Education Services*

**16. INSTRUCTIONAL MATERIALS RECOMMENDED FOR ADOPTION: ELEMENTARY SCHOOL – MANDARIN IMMERSION PROGRAM:**

Adoption of the following titles for Reading & Phonics– Mandarin Chinese in grades K-1: *My First Chinese Word Series* published by Better Chinese ©2006; *My First Chinese Reader Series* published by Better Chinese ©2006; *Little Kangshun* published by Kangshun ©2011 and adoption of the following titles for Math – Mandarin Chinese in grades K-1 include: *Earlybird Kindergarten Mathematics* published by Singapore Math ©2007; *Primary Mathematics* published by Singapore Math ©2007. Marian Bergeson Elementary School is requesting the adoption of these titles for use with the Mandarin Immersion Program in the subject areas of Reading, Phonics, and Math for grades K-1. Each of these titles has been approved by a vote of 11-0 by the Instructional Materials Review Committee. These titles would be adopted for a seven-year period. Purchases of these materials would be paid with site funds.

*CUSD Strategic Plan Pillar 3: Academic Achievement and Enrichment*

*Contact: Julie Hatchel, Assistant Superintendent, Education Services*

## **BUSINESS & SUPPORT SERVICES**

17. **PURCHASE ORDERS, COMMERCIAL WARRANTS, AND PREVIOUSLY BOARD-APPROVED BIDS AND CONTRACTS:** Page 90  
EXHIBIT 17  
Approval of purchase orders (Attachment 1) and commercial warrants (Attachment 2). The expenditures related to the listed purchase orders and commercial warrants included in this item were previously authorized as part of the District's budget approval process. The purchase orders total \$1,743,788.92; the commercial warrants total \$8,386,002.80. 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.  
*CUSD Strategic Plan Pillar 5: Effective Operations*  
*Contact: Clark Hampton, Deputy Superintendent, Business and Support Services*
18. **DONATION OF FUNDS AND EQUIPMENT:** Page 140  
EXHIBIT 18  
A number of gifts have been donated to the District, including \$68,878.33 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.  
*CUSD Strategic Plan Pillar 3: Academic Achievement & Enrichment*  
*Contact: Clark Hampton, Deputy Superintendent, Business and Support Services*
19. **SPECIAL EDUCATION INFORMAL DISPUTE RESOLUTION AGREEMENT:**  
Approval of the ratification of special education Informal Dispute Resolution agreement case #57212. Due to the confidential nature of the agreement, supporting information is provided to Trustees under separate cover.  
*CUSD Strategic Plan Pillar 3: Academic Achievement & Enrichment*  
*Contact: Sara Jocham, Assistant Superintendent, SELPA and Special Education Operations*
20. **SPECIAL EDUCATION INFORMAL DISPUTE RESOLUTION AGREEMENT:**  
Approval of special education Informal Dispute Resolution agreement case #34912. Due to the confidential nature of the agreement, supporting information is provided to Trustees under separate cover.  
*CUSD Strategic Plan Pillar 3: Academic Achievement & Enrichment*  
*Contact: Sara Jocham, Assistant Superintendent, SELPA and Special Education Operation*
21. **AGREEMENT FOR STUDENT TRANSPORTATION SERVICES BETWEEN THE ORANGE COUNTY SCHOOL DISTRICTS:** Page 142  
EXHIBIT 21  
Approval of an agreement between the Orange County school districts to provide student-transportation services for special education, transfers, athletics, field trips, and special event activities during peak demand periods to avoid disruption of services. The Orange County school districts listed in the agreement wish to enter into a cooperative effort to provide student transportation services on an as-needed and when-available basis. Services shall be at the hourly rate and/or mileage set by the transporting district. Costs would be less than a comparable charter service. If the District chooses to provide services under this contract, there would be a potential income to the District.  
*CUSD Strategic Plan Pillar 5: Effective Operations*  
*Contact: Clark Hampton, Deputy Superintendent, Business and Support Services*
22. **LEASE/RENTAL AGREEMENT – ORANGE COUNTY FIRE AUTHORITY:** Page 148  
EXHIBIT 22  
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 intensive training in June and July. The income generated from this agreement is \$1,650 and will be deposited into the Transportation Department vehicle replacement account.  
*CUSD Strategic Plan Pillar 5: Effective Operations*  
*Contact: Clark Hampton, Deputy Superintendent, Business and Support Services*

23. **AMENDMENT NO. 1 – REAL PROPERTY LEASE AGREEMENT WITH ORANGE COUNTY DEPARTMENT OF EDUCATION FOR THE SPECIAL EDUCATION – INTERAGENCY ASSESSMENT CENTER AT CROWN VALLEY ELEMENTARY SCHOOL:** Page 150  
EXHIBIT 23
- Approval Amendment No. 1 – Real Property Lease Agreement with Orange County Department of Education (OCDE) for the Special Education – Interagency Assessment Center at Crown Valley Elementary School. The Special Education Division of the District is requesting the use of three existing portable classrooms owned by OCDE on the campus of Crown Valley Elementary School. Amendment No. 1, reviewed and approved by OCDE, allows the District to use the vacant classrooms for a five-year period at no cost. The attached exhibit is the Amendment for consideration.
- CUSD Strategic Plan Pillar 5: Effective Operations*  
*Contact: Clark Hampton, Deputy Superintendent, Business and Support Services*
24. **FINAL ACCEPTANCE AND FILING OF NOTICE OF COMPLETION FOR BID NO. 1011-09, SAN JUAN HILLS HIGH SCHOOL 30-METER POOL AND SUPPORT BUILDINGS – HORIZONS CONSTRUCTION COMPANY INTERNATIONAL, INCORPORATED:** Page 154  
EXHIBIT 24
- Approval of the final acceptance and filing of the Notice of Completion for the construction of the 30-meter pool and support buildings at San Juan Hills High School. On March 8, 2011, the Board of Trustees awarded Bid No. 1011-09, San Juan Hills High School 30-Meter Pool & Support Buildings to Horizons Construction Company International, Incorporated. All work has been inspected and completed to the satisfaction of staff, and the District has given the contractor notice of beneficial occupancy as of March 5, 2012.
- CUSD Strategic Plan Pillar 5: Effective Operations*  
*Contact: Clark Hampton, Deputy Superintendent, Business and Support Services*
25. **RATIFICATION OF CHANGE ORDER #18 – BID NO. 1011-09, SAN JUAN HILLS HIGH SCHOOL 30-METER POOL AND SUPPORT BUILDINGS:** Page 158  
EXHIBIT 25
- Approval of the ratification of change order #18 related to the construction of the 30-meter pool and support buildings at San Juan Hills High School. In a previous action, the Board delegated to the Superintendent the authority to approve work orders changing the cost of construction contracts, provided the cost does not exceed \$25,000 per individual work order. This change order aggregates various work orders that may consist of additions, deletions, or other revisions that are now being presented to the Board of Trustees for ratification. All such changes in the work are performed under applicable conditions of the change in contract documents. The original contract sum was \$3,023,000. The new contract sum including change order #18 is \$3,267,967.
- CUSD Strategic Plan Pillar 5: Effective Operations*  
*Contact: Clark Hampton, Deputy Superintendent, Business and Support Services*
26. **RATIFICATION CHANGE ORDER #8 – BID NO. 1011-11, CAPISTRANO VALLEY HIGH SCHOOL PERFORMING ARTS THEATER:** Page 168  
EXHIBIT 26
- Approval of the ratification of change order #8 related to the theater at Capistrano Valley High School. In a previous action, the Board delegated to the Superintendent the authority to approve work orders changing the cost of construction contracts, provided the cost does not exceed \$25,000 per individual work order. This change order aggregates various work orders that may consist of additions, deletions, or other revisions that are now being presented to the Board of Trustees for ratification. All such changes in the work are performed under applicable conditions of the change in contract documents. The original contract sum was \$11,975,007. The new contract sum including change orders through #8 is \$12,176,981.
- CUSD Strategic Plan Pillar 5: Effective Operations*  
*Contact: Clark Hampton, Deputy Superintendent, Business and Support Services*



**27. INDEPENDENT CONTRACTOR, MASTER CONTRACT, AND PROFESSIONAL SERVICES AGREEMENTS:**

Page 202  
**EXHIBIT 27**

Approval and ratification of District standardized Independent Contractor, Master Contract, and Professional Services Agreements. The State of California is in financial crisis, and as a result, California school budgets have been cut by 25 percent over the past four years. Because of these significant cuts, staff requests contractors to reduce their fees for services by ten percent. The expenditures related to the listed agreements were previously authorized as part of the District's budget approval process. The agreements total \$1,337,000.

Due to the size of the contract documents, the General Conditions for each type of agreement will be posted online on the District's Board Agendas and Supporting Documentation page.

*CUSD Strategic Plan Pillar 2: Safe & Healthy Schools*

*CUSD Strategic Plan Pillar 3: Academic Achievement & Enrichment*

*CUSD Strategic Plan Pillar 5: Effective Operations*

*Contact: Clark Hampton, Deputy Superintendent, Business and Support Services*

**28. EXTENSION OF INDEPENDENT CONTRACTOR AGREEMENT NO. I1011014, THE PLANNING CENTER:**

Page 368  
**EXHIBIT 28**

Approval of extension of Independent Contractor Agreement No. I1011014 for on-call California Environmental Quality Act Compliance services, as required by the District, provided by The Planning Center. Staff requested contractors to reduce their pricing at each contract renewal. The contractor has agreed to reduce some of their rates and reduce markup on other direct costs by 20 percent. Funding for these expenditures will depend upon the types of services rendered, which may include, but are not limited to, developer fees, Community Facilities Districts, and the general fund. Annual expenditures under this contract are limited to \$50,000.

*CUSD Strategic Plan Pillar 5: Effective Operations*

*Contact: Clark Hampton, Deputy Superintendent, Business and Support Services*

**29. EXTENSION OF INDEPENDENT CONTRACTOR AGREEMENT NO. I1011016, NMG GEOTECHNICAL, INCORPORATED:**

Page 382  
**EXHIBIT 29**

Approval of extension of Independent Contractor Agreement No. I1011016 for on-call geotechnical services, as required by the District, provided by NMG Geotechnical, Incorporated. Staff requested contractors to reduce their pricing at each contract renewal. The contractor has agreed to reduce their rates by ten percent. Funding for these expenditures will depend upon the types of services rendered, which may include, but are not limited to, developer fees, Community Facilities Districts, and the general fund. Annual expenditures under this contract are limited to \$150,000.

*CUSD Strategic Plan Pillar 5: Effective Operations*

*Contact: Clark Hampton, Deputy Superintendent, Business and Support Services*

**30. EXTENSION OF BID NO. 1112-04, OUTSOURCE TRANSPORTATION SERVICE – AMERICAN LOGISTICS COMPANY, LLC:**

Page 400  
**EXHIBIT 30**

Approval of extension of Bid No. 1112-04 for outsource transportation services, as required by the District, provided by American Logistics Company, LLC. This contract provides competitive, set pricing for the transportation of special education students as determined by a student's Individual Education Plan, and when the District's Transportation Department does not have a bus available to transport a specific student to the needed location. The vendor has agreed to maintain the same pricing structure negotiated last year. Funding for these expenditures will be from the general fund. Annual expenditures under this agreement are limited to \$150,000.

*CUSD Strategic Plan Pillar 5: Effective Operations*

*Contact: Clark Hampton, Deputy Superintendent, Business and Support Services*

**31. AWARD BID NO. 1112-15, REFURBISHED COMPUTER EQUIPMENT – CNB COMPUTERS, INCORPORATED:**

Approval of the award of bid for refurbished computer equipment to CNB Computers, Incorporated. The initial base contract is June 12, 2012, through June 11, 2013. The contract may be extended by mutual agreement, and upon Board approval, for a renewal term not to exceed two additional one-year periods. This contract provides set pricing for refurbished computer equipment such as desktops, laptops, monitors, and accessories. Estimated annual expenditures utilizing this contract are limited to \$100,000 funded by site funds, gift funds, grants, and the general fund.

*CUSD Strategic Plan Pillar 5: Effective Operations*

*Contact: Clark Hampton, Deputy Superintendent, Business and Support Services*

**32. ADVERTISE BID NO. 1213-04, SAN JUAN HILLS HIGH SCHOOL NEW BASEBALL DUGOUTS:**

Approval to advertise for bids for new baseball dugouts at San Juan Hills High School. The project scope includes demolition and removal of the existing dugouts and replacement with similar sized new dugouts. The project will be completed over the summer break. The construction costs for the project, based on the engineer's estimate, is approximately \$80,000, funded by CFD 98-2.

Due to the size of the documents, the project manual and the complete set of plans are available for review in the Purchasing Department. If you wish to review the documents, please contact Terry Fluent, Director of Purchasing at (949) 234-9436.

*CUSD Strategic Plan Pillar 5: Effective Operations*

*Contact: Clark Hampton, Deputy Superintendent, Business and Support Services*

**33. GOVERNMENT CLAIM: 12-03484 DP:**

Denial of Claim 12-03484 DP filed against the District. Staff will follow up with appropriate action. This agenda item pertains to a claim filed against the District by Gabriela Arriaga on behalf of a minor student. On December 14, 2011, at Marco Forster Middle School, the student claims she sustained an injury to her back when she slipped and fell in the restroom due to water on the floor. The student did not report an injury or seek first-aid treatment on the date indicated. Denial of this claim does not have any financial implications on the general fund. This action establishes procedural timelines.

*CUSD Strategic Plan Pillar 5: Effective Operations.*

*Contact: Jodee Brentlinger, Assistant Superintendent, Personnel Services*

**PERSONNEL SERVICES**

**34. RESIGNATIONS/RETIREMENTS/EMPLOYMENT – CLASSIFIED EMPLOYEES:**

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.

*CUSD Strategic Plan Pillar 5: Effective Operations*

*Contact: Jodee Brentlinger, Assistant Superintendent, Personnel Services*

**35. RESIGNATIONS/RETIREMENTS/EMPLOYMENT – CERTIFICATED EMPLOYEES:**

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.

*CUSD Strategic Plan Pillar 5: Effective Operations*

*Contact: Jodee Brentlinger, Assistant Superintendent, Personnel Services*

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

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

ROLL CALL:

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

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

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

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

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

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

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

**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, JUNE 27, 2012, 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)

## 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.*