

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

BOARD OF TRUSTEES
Regular Meeting

January 25, 2012

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 LABOR NEGOTIATORS

EXHIBIT 3A

Joseph M. Farley/Jodee Brentlinger/Tim Holcomb/Robyn Phillips/
Julie Hatchel/Sara Jocham/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)

~~**B. PUBLIC EMPLOYEE APPOINTMENT/EMPLOYMENT**~~

~~**EXHIBIT 3B**~~

~~Executive Director, Personnel Services
(Pursuant to Government Code §54957)~~

~~Pulled on 1-20-12~~

OPEN SESSION AT 7:00 P.M.

PLEDGE OF ALLEGIANCE

ADOPTION OF THE AGENDA – ROLL CALL

REPORT ON CLOSED SESSION ACTION

BOARD AND SUPERINTENDENT COMMENTS

ORAL COMMUNICATIONS (Non-Agenda Items)

Oral Communications will occur immediately following Board and Superintendent Comments. The total time for Oral Communications shall be twenty (20) minutes. Individual presentations are limited to a maximum of three (3) minutes per individual.

PUBLIC HEARING: Agenda Item #1 – Quality Education Investment Act Class Size Reduction Waiver Request

RECORDING OF SCHOOL BOARD MEETINGS

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

PUBLIC HEARING

1. **QUALITY EDUCATION INVESTMENT ACT CLASS SIZE REDUCTION WAIVER REQUEST:** INFORMATION/
DISCUSSION

The Board will conduct a public hearing on the Quality Education Investment Act Class Size Reduction Waiver Request for Kinoshita Elementary School. Supporting information is located in Exhibit 2.

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.

DISCUSSION/ACTION ITEMS

2. **QUALITY EDUCATION INVESTMENT ACT CLASS SIZE REDUCTION WAIVER REQUEST:** DISCUSSION/
ACTION

This item requests the approval of the Quality Education Investment Act (QEIA) Class Size Reduction (CSR) Waiver Request for Kinoshita Elementary School. The District is seeking a general waiver request of Education Code §52055.740(a) to waive QEIA CSR targets and the establishment of alternate CSR targets at Kinoshita Elementary School for grades kindergarten through three of 25.0 per class, an average of 30.6 in grade four, and an average of 26.5 in grade five. The revised targets would allow the school to continue participation in the QEIA program to continue school improvement activities.

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 Julie Hatchel, Assistant Superintendent, Education Services, to present this item.

It is recommended the Board of Trustees approve the General Waiver Request to waive Education Code §52055.740(a).

Motion by _____ Seconded by _____

3. **CHARTER SCHOOL FACILITY RIGHTS, STANDARDS, AND DISTRICT HOUSING OBLIGATIONS UNDER PROPOSITION 39:** INFORMATION/
DISCUSSION

The District is obligated under Proposition 39 Education Code §47614 and California Code of Regulations Title 5 §11969.1 – 11969.11 to provide "reasonably equivalent" and "contiguous" facilities to charter schools to house their in-district classroom students. With the District's recent approval of charter schools and subsequent provision of facilities, a number of questions and concerns have surfaced regarding the commitment of District resources to charter schools. In response to these concerns, staff requested an opinion from the District's legal counsel, Dannis Woliver Kelley, to address concerns and explain the rights granted to charters schools under Proposition 39. Proposition 39, passed by voters in 2000, was written to ensure that public school facilities be shared fairly among all public school students, including those attending charter schools.

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EXHIBIT 3

The exhibit provides background on the obligations placed on districts under Proposition 39. An attorney from Dannis Woliver Kelley will be in attendance to present this information as well as respond to questions.

CUSD Strategic Plan Pillar 3: Academic Achievement & Enrichment

Contact: Julie Hatchel, Assistant Superintendent, Education Services

Staff Recommendation

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

4. CHARTER SCHOOL MATERIAL REVISION REQUEST – OXFORD PREPARATORY ACADEMY:

Oxford Preparatory Academy-South Orange County (OPA-OC) has submitted a request for a Material Revision to their existing charter. OPA-OC was chartered by the District on March 8, 2011. This Material Revision request was received by the Trustees on December 12, 2011. A public hearing regarding the request was held on January 9, 2012. The Board of Trustees must now either grant or deny the request.

DISCUSSION/
ACTION
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EXHIBIT 4

OPA is seeking to materially revise the OPA-OC charter to:

1. Increase enrollment from 628 to 772 beginning with the 2012-2013 school year and continuing for each of the remaining school years in the current charter term
2. Provide that the CUSD representative to the charter board may serve as a voting member
3. Allow OPA-OC Board meetings to alternate among all campuses operated by OPA
4. Allow OPA-OC's Board to hold quarterly, instead of monthly meetings
5. Replace board position titles of "President" and "Vice President" with "Chairman" and "Vice Chairman" in the charter

The Board may either approve or deny all or part of the Material Revision request. In order to deny any of the requested material revisions, the Board must adopt written factual findings specific to the material revision request as provided in the Staff Report.

CUSD Strategic Plan Pillar 3: Academic Achievement & Enrichment

Contact: Julie Hatchel, Assistant Superintendent, Education Services

Staff Recommendation

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

Following discussion, it is recommended the Board of Trustees take action on items 1-5 of the Material Revision request. For the reasons set forth in the Staff Report (Exhibit 4), staff recommends the Board deny Oxford Preparatory Academy's Material Revision requests in their entirety to adopt the appropriate fiscal findings as outlined in the Staff Report.

Motion by _____

Seconded by _____

5. PROPOSITION 39 PRELIMINARY FACILITIES OFFER – OXFORD PREPARATORY ACADEMY:

DISCUSSION/
ACTION
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EXHIBIT 5

On November 1, 2011, the District received Oxford Preparatory Academy’s Request for Proposition 39 Facilities for the 2012-2013 school year. The District is obligated under Proposition 39, Education Code §47614 and California Code of Regulations Title 5 §11969.1 – 11969.11 to provide certain facilities to charter schools to house their in-district classroom students. Oxford Preparatory Academy is currently chartered by the District and is sharing facilities at Barcelona Hills Elementary School.

By February 1, 2012, the school district is required prepare a preliminary proposal in writing regarding the space to be allocated to the charter school and/or to which the charter school is to be provided access. Approval of this agenda item will provide the charter school with the District’s preliminary facilities proposal for 2012-2013.

CUSD Strategic Plan Pillar 3: Academic Achievement & Enrichment
Contact: Julie Hatchel, Assistant Superintendent, Education Services

Staff Recommendation

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

Following discussion, it is recommended the Board approve the provision of Proposition 39 facilities to Oxford Preparatory Academy for the 2012-2013 school year under the terms and conditions outlined in the exhibit. It is further requested the Board of Trustees provide staff with the latitude to adjust this offer (subject to final Board approval) as deemed appropriate, and in concurrence with Oxford Preparatory Academy, prior to presentation of the final facilities offer to the Board for consideration before April 1, 2012. This offer is not only compliant with the law, but also balances the facility needs of the charter school with the facility and programmatic needs of the District.

Motion by _____ Seconded by _____

6. PROPOSITION 39 PRELIMINARY FACILITIES OFFER – JOURNEY SCHOOL:

DISCUSSION/
ACTION
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EXHIBIT 6

On November 1, 2011, the District received Journey School’s Request for Proposition 39 Facilities for the 2012-2013 school year. The District is obligated under Proposition 39, Education Code §47614 and California Code of Regulations Title 5 §11969.1 – 11969.11 to provide certain facilities to charter schools to house their in-district classroom students. Journey School is currently chartered by the District and is leasing facility space at the Foxborough campus. Journey has waived its Proposition 39 facilities entitlements for 2011-2012 in favor of this lease arrangement and would like to continue this arrangement in 2012-2013.

By February 1, 2012, the school district is required to prepare a preliminary proposal in writing regarding the space to be allocated to the charter school and/or to which the charter school is to be provided access. Approval of this agenda item will extend the Proposition 39 facilities timeline by one month in order to provide staff and the charter school time to negotiate an agreement in lieu of a Proposition 39 facilities offer.

CUSD Strategic Plan Pillar 3: Academic Achievement & Enrichment
Contact: Julie Hatchel, Assistant Superintendent, Education Services

Staff Recommendation

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

Following discussion, it is recommended the Board approve the request to extend the written Proposition 39 facilities preliminary proposal by one month to March 1, 2012, and as described herein, in order to provide staff and the charter school time to negotiate an agreement in lieu of a Proposition 39 facilities offer.

Motion by _____ Seconded by _____

7. PROPOSITION 39 PRELIMINARY FACILITIES OFFER - COMMUNITY ROOTS ACADEMY:

On November 1, 2011, the District received Community Roots School's Request for Proposition 39 Facilities for the 2012-2013 school year. The District is obligated under Proposition 39, Education Code §47614 and California Code of Regulations Title 5 §11969.1 – 11969.11 to provide certain facilities to charter schools to house their in-district classroom students. Community Roots Academy is currently chartered by the District and is leasing facility space at the Wood Canyon Elementary School campus. Community Roots Academy is in favor of this lease arrangement and would like to continue this arrangement in 2012-2013.

By February 1, 2012, the school district is required to prepare a preliminary proposal in writing regarding the space to be allocated to the charter school and/or to which the charter school is to be provided access. Approval of this agenda item will extend the Proposition 39 facilities timeline by one month, in order to provide staff and the charter school time to negotiate an agreement in lieu of a Proposition 39 facilities offer.

CUSD Strategic Plan Pillar 3: Academic Achievement & Enrichment

Contact: Julie Hatchel, Assistant Superintendent, Education Services

Staff Recommendation

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

Following discussion, it is recommended the Board approve the request to extend the written Proposition 39 facilities preliminary proposal by one month to March 1, 2012, and as described herein, in order to provide staff and the charter school time to negotiate an agreement in lieu of a Proposition 39 facilities offer.

Motion by _____ Seconded by _____

8. APPROVAL OF RESOLUTION NO. 1112-30 AUTHORIZING OFFERING OF SUPPLEMENTARY RETIREMENT PLAN FOR CERTIFICATED NON-MANAGEMENT EMPLOYEES:

During times of budget reductions, districts and other agencies typically consider offering a supplementary retirement plan to reduce expenses and, reduce or eliminate layoffs. Beginning in 2009, the District ceased its participation in Class Size Reduction and other services, thus eliminating 344 certificated positions. As a result, the District currently maintains re-employment lists of approximately 265 veteran certificated employees in addition to 127 newly hired temporary employees. Recognizing budget reductions are still necessary for the 2012-2013 year, a retirement plan has the potential to incentivize retirement for many senior veteran employees over and above natural attrition.

DISCUSSION/
ACTION
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EXHIBIT 7

DISCUSSION/
ACTION
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EXHIBIT 8

The current economic challenges facing the state and nation have significantly decreased natural attrition over the past four years. In the 2007-2008 school year 84 certificated employees retired compared to 26 retirements received during 2010-2011. Savings are achieved by replacing veteran senior employees with less senior employees who are lower on the salary schedule. In addition to salary differential savings, certain positions may not be replaced further increasing savings to the general fund. The District anticipates savings to the general fund to be no less than \$600,000 in 2012-2013 with continued savings generated out four additional years which accounts for the full cost of the IRC 403(b) fixed annuity.

CUSD Strategic Plan Pillar 5: Effective Operations

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

Staff Recommendation

It is recommended the Board President recognize Jodee Brentlinger, Assistant Superintendent, Personnel Services, to present this item.

It is recommended the Board of Trustees approve Resolution No. 1112-30 authorizing the implementation of the PARS fixed annuity plan commencing with the 2012-2013 school year.

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

9. DRAFT PLAN REVIEW AND DISCUSSION NO. 2 REGARDING TRUSTEE AREA BOUNDARY REDISTRICTING:

National Demographics Corporation has been working on revising draft Plan G to reflect the direction received at the January 9 Board meeting and will review these options with Trustees at the Board meeting on January 25. The new draft plans will be posted on the District website on the Agenda & Supporting Documents 2011 page no later than Friday, January 20, 2012, when completed by National Demographics Corporation.

DISCUSSION/
ACTION
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EXHIBIT 9

Included in the exhibit for Trustee review and consideration are the following:

1. Resolution 1112-25 – Resolution Establishing Criteria for Adjusting Trustee Area Boundaries
2. Redistricting Schedule – adopted November 14, 2011
3. Revised Draft Plans – Available January 20 under separate cover on the District website at:
http://capousd.ca.schoolloop.com/cms/page_view?d=x&piid=&vpid=1293638734307

Trustees are scheduled to take action on a final boundary plan at the Board meeting on Monday, February 13, 2012.

CUSD Strategic Plan Pillar 5: Effective Operations

Contact: *Joseph M. Farley, Superintendent*

Staff Recommendation

It is recommended the Board President recognize Superintendent Joseph M. Farley to present this item.

Following discussion, it is recommended the Board of Trustees either:

1. Finalize and approve a plan for the Trustee area boundary redistricting, or
2. Provide direction regarding any additional changes to the draft plan for Trustee area boundary redistricting.

Motion by _____ Seconded by _____

10. PRESENTATION AND RECEIPT OF THE ANNUAL FINANCIAL REPORT FOR THE YEAR ENDING JUNE 30, 2011:

State law requires that each school district in California have an annual audit conducted by a state-certificated independent auditor. The audit is conducted according to generally accepted auditing standards, specific guidelines, and procedures set by the State Controller’s office. The audit, when completed, is to be presented to Trustees at a public meeting. Under state law, annual fiscal audits are neither accepted nor rejected by a Board, but merely received by the district. For record keeping purposes, the Board of Trustees has annually adopted a motion indicating recognition of receipt of the annual audit report.

This agenda items pertains to the presentation of the 2010-2011 fiscal year Annual Financial Report to the Board of Trustees. The Annual Financial Report for the fiscal year ending June 30, 2011, was completed by the firm Vavrinek, Trine, Day & Co, LLP, Certified Public Accountants.

The Annual Financial Report for fiscal year ending June 30, 2011, is posted on the District website on the Agenda & Supporting Documents 2011 page at the following link:

http://capousd.ca.schoolloop.com/cms/page_view?d=x&piid=&vpid=1293638734307

CUSD Strategic Plan Pillar 5: Effective Operations

Contact: Robyn Phillips, Interim Deputy Superintendent, Business and Support Services

Staff Recommendation

It is recommended the Board President recognize Robyn Phillips, Interim Deputy Superintendent, Business and Support Services, who will introduce a partner from the audit firm Vavrinek, Trine, Day & Co., LLP to present a summary of the audit report for the year ending June 30, 2011.

Following discussion, it is recommended the Board of Trustees receive the Annual Financial Report for the District for the fiscal year ending June 30, 2011.

Motion by _____ Seconded by _____

11. GOVERNOR’S JANUARY BUDGET PROPOSAL FOR FISCAL YEAR 2012-2013:

On January 5, 2012, Governor Brown released the 2012-2013 fiscal year budget proposal. On January 18, 2012, staff attended the School Services of California Governor’s Budget Workshop. The 2012-2013 budget calendar identifies the Board meeting on January 25 as an opportunity for staff to present a report to Board regarding the Governor’s January budget proposal. A verbal report is scheduled due to the shortness of time between the School Services workshop on January 18 and the Board meeting on January 25.

DISCUSSION/
ACTION
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EXHIBIT 10

INFORMATION/
DISCUSSION

Printed information concerning Governor Brown's proposal will be distributed when it is available. This is an informational item only; no action is required on the part of Trustees.

CUSD Strategic Plan Pillar 5: Effective Operations

Contact: Robyn Phillips, Interim Deputy Superintendent, Business and Support Services

Staff Recommendation

It is recommended the Board President recognize Robyn Phillips, Interim 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.

12. FIRST READING – REVISIONS TO BOARD POLICY 1311, CHARITABLE CONTRIBUTIONS – SOLICITING FROM DISTRICT PERSONNEL:

The revisions requested to Board Policy 1311 will ensure the policy meets practice. The proposed changes would allow the Superintendent or designee to authorize solicitation of employees for contributions to charitable organizations. Proposed additions to the Board policy are underlined; deletions are struck through.

CUSD Strategic Plan Pillar 1: Community Relations

Contact: Marcus Walton, Chief Communications Officer

Staff Recommendation

It is recommended the Board President recognize Marcus Walton, Chief Communications Officer, who will present this item and answer any questions Trustees may have. This is an information item only and no Board action is necessary.

INFORMATION/
DISCUSSION

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EXHIBIT 12

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

13. SCHOOL BOARD MINUTES:

Approval of the January 9, 2012, regular Board meeting.

Contact: Jane Boos, Manager, Board Office Operations

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EXHIBIT 13

BUSINESS & SUPPORT SERVICES

14. DONATION OF FUNDS AND EQUIPMENT:

A number of gifts have been donated to the District, including \$77,378.61 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: Robyn Phillips, Interim Deputy Superintendent, Business and Support Services

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EXHIBIT 14

15. **INDEPENDENT CONTRACTOR AGREEMENT – AUDITORY PROCESSING DEVELOPMENT EVALUATIONS, PROVIDENCE SPEECH AND HEARING CENTER:** Page 153
EXHIBIT 15
Approval of an independent contractor agreement with Providence Speech and Hearing Center to provide auditory processing development evaluations for students. The contractor will provide services at the rates indicated on the fee schedule for the 2011-2012 school year, for services as requested by the District, paid by special education funds. Expenditures under this contract are estimated to be \$5,000.
CUSD Strategic Plan Pillar 3: Academic Achievement & Enrichment
Contact: Robyn Phillips, Interim Deputy Superintendent, Business and Support Services
16. **INDEPENDENT CONTRACTOR AGREEMENT – VISION ASSESSMENTS, DR. DAVID G. KIRSCHEN:** Page 165
EXHIBIT 16
Approval of an independent contractor agreement with Dr. David G. Kirschen to provide vision assessments for District students. Dr. Kirschen will provide services at the rates indicated on the fee schedule for the 2011-2012 school year, for services as requested by the District, paid by special education funds. Expenditures under this contract are estimated to be \$5,000.
CUSD Strategic Plan Pillar 3: Academic Achievement & Enrichment
Contact: Robyn Phillips, Interim Deputy Superintendent, Business and Support Services
17. **AGREEMENT FOR TELEVISION BROADCASTING AND CONSULTING SERVICES – KOCE-TV FOUNDATION ON BEHALF OF PBS SOCAL EDUCATION:** Page 175
EXHIBIT 17
Approval of an agreement for television broadcasting and consulting services with PBS SoCal Education to provide teachers at Aliso Viejo Middle School with instructional television materials and training on the effective use of television and Discovery Streaming for instruction in the classroom. Services provided under this agreement, effective September 1, 2011, through August 31, 2012, will be at the rate of \$1.10 per student, not to exceed \$1,194.60, funded by the gift account.
CUSD Strategic Plan Pillar 3: Academic Achievement & Enrichment
Contact: Robyn Phillips, Interim Deputy Superintendent, Business and Support Services
18. **AMENDMENT TO SCHOOL BUS SERVICE AGREEMENT NO. 109100045 – SANTA MARGARITA CATHOLIC HIGH SCHOOL:** Page 181
EXHIBIT 18
Approval of the amendment to the school bus service agreement with Santa Margarita Catholic High School adding the ability to provide bus rental services for District owned buses as requested by the client. Through this agreement, the District provides inspections, servicing, maintenance, roadside assistance, and driver training for buses owned by Santa Margarita Catholic High School and also provides for the rental of District owned buses on an as-needed basis. This agreement provides a positive revenue stream into the District's general fund to offset a portion of the Transportation's encroachment.
CUSD Strategic Plan Pillar 5: Effective Operations
Contact: Tim Holcomb, Interim Deputy Superintendent, Business and Support Services
19. **INFORMAL DISPUTE RESOLUTION AGREEMENTS:**
Approval of the ratification of special education Informal Dispute Resolution (IDR) agreements. It is recommended the Board of Trustees ratify IDR case #81311, IDR case #123411, and IDR case #123511. Due to the confidential nature of the agreements, supporting information is provided to the Trustees under separate cover. There is no financial impact.
CUSD Strategic Plan Pillar 3: Academic Achievement & Enrichment
Contact: Sara Jocham, Assistant Superintendent, SELPA and Special Education Operations

20. **MASTER CONTRACT – CLARINDA ACADEMY, A NON-PUBLIC SCHOOL:** Page 195
EXHIBIT 20
Approval of a master contract for special education services to be provided by Clarinda Academy, a non-public school. The cost for tuition per individual student is \$125 a day, and the cost for room and board per individual student is \$6,694 a month on an as-needed basis. These services are outlined in the agreement and will 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 services provided by this vendor. The actual dollar amount and budget code will be determined by a purchase order submitted to the Board of Trustees for approval.
CUSD Strategic Plan Pillar 3: Academic Achievement & Enrichment
Contact: Robyn Phillips, Interim Deputy Superintendent, Business and Support Services

21. **NETWORK FOR A HEALTHY CALIFORNIA COALITION PROGRAM SERVICE AGREEMENT – ORANGE COUNTY SUPERINTENDENT OF SCHOOLS:** Page 229
EXHIBIT 21
Approval of the Network for a Healthy California Coalition Program service agreement with the Orange County Superintendent of Schools to promote healthy eating habits and a physically active lifestyle for students. Orange County Superintendent of Schools will pay the District \$88,571 or actual costs, whichever is less, for services performed as outlined in this agreement, effective October 1, 2011, through September 30, 2012.
CUSD Strategic Plan Pillar 2: Safe & Healthy Schools
Contact: Robyn Phillips, Interim Deputy Superintendent, Business and Support Services

22. **PLACENTIA-YORBA LINDA UNIFIED SCHOOL DISTRICT BID NO. 211-12, SUPPLIES – SOUTHWEST SCHOOL AND OFFICE SUPPLY:**
Approval authorization to utilize Placentia-Yorba Linda Unified School District Bid No. 211-12 for the purchase of classroom and office supplies, from Southwest School and Office Supply, as needed, under the same terms and conditions of the public agency's contract. This contract provides competitive pricing and allows staff to streamline the procurement process. Anticipated annual expenditures utilizing this contract are approximately \$300,000 funded by the appropriate accounts.

School boards have the authority to “piggyback” on another public agency’s bid, per Public Contract Code §20118, when it is in the best interest of a district. It is often advantageous to utilize piggyback bids when contract items are identical to the district’s specifications. Using piggyback contracts saves time and often provides lower prices than a single jurisdiction would be able to obtain.

Due to the size of the contract and award, the documentation will be posted online on the CUSD Board Agendas and Supporting Documentation page.

CUSD Strategic Plan Pillar 5: Effective Operations

Contact: Tim Holcomb, Interim Deputy Superintendent, Business and Support Services

PERSONNEL SERVICES

23. **RESIGNATIONS/RETIREMENTS/EMPLOYMENT–CLASSIFIED EMPLOYEES:** Page 333
EXHIBIT 23
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

24. RESIGNATIONS/RETIREMENTS/EMPLOYMENT – CERTIFICATED EMPLOYEES:

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EXHIBIT 24

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

25. QUARTERLY REPORT – WILLIAMS SETTLEMENT UNIFORM COMPLAINT:

Page 347
EXHIBIT 25

Acceptance of Williams Settlement Second Quarter Report. As a result of the Williams Settlement, Education Code §35186 mandates school districts establish policies and procedures to resolve deficiencies related to textbooks and instructional materials, teacher vacancies or misassignments, facility conditions posing a threat to student/staff health or safety, and instruction and services for the California High School Exit Examination. Furthermore, the law requires that any deficiencies or complaints be reported to the Board of Trustees at a regularly scheduled public meeting each quarter.

CUSD Strategic Plan Pillar 5: Effective Operations.

Contact: Jodee Brentlinger, Assistant Superintendent, Personnel Services

Motion by _____

Seconded by _____

ROLL CALL:

Student Advisor Ryan Pallas _____

Trustee Addonizio _____

Trustee Alpay _____

Trustee Brick _____

Trustee Bryson _____

Trustee Hatton _____

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 MONDAY, FEBRUARY 13, 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

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.