

BOARD OF TRUSTEES  
Regular Meeting

April 24, 2013

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. PUBLIC EMPLOYEE APPOINTMENT/EMPLOYMENT**

**EXHIBIT 3A1-A2**

- 1) High School Principal, Serra
  - 2) Manager IV, Payroll
- (Pursuant to Government Code §54957)*

**B. CONFERENCE WITH LABOR NEGOTIATORS**

**EXHIBIT 3B**

- Dr. Joseph M. Farley/Jodee Brentlinger/Clark Hampton/Jon Pearl  
Employee Organizations:
- 1) Capistrano Unified Education Association (CUEA)
  - 2) Capistrano School Employees Association (CSEA)
  - 3) Teamsters
- (Pursuant to Government Code §54957.6)*

**C. STUDENT EXPULSIONS**

**EXHIBIT 3 C1-C5**

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

**PUBLIC HEARING: Agenda Item #1 – Instructional Materials Recommended for Adoption-High School Social Science/World History**

**PUBLIC HEARING: Agenda Item #3 – Instructional Materials Recommended for Adoption-Middle School History/Social Science**

**PUBLIC HEARING: Agenda Item #5 – Instructional Materials Recommended for Adoption-Preschool and Transitional Kindergarten**

**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**

*Student Body President's Report – Tesoro High School*

**SPECIAL RECOGNITIONS**

*San Clemente High School Dance Team*

**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. PUBLIC HEARING – INSTRUCTIONAL MATERIALS RECOMMENDED FOR ADOPTION: HIGH SCHOOL SOCIAL SCIENCE AND WORLD HISTORY:** INFORMATION/  
DISCUSSION

The Board will conduct a public hearing on instructional materials recommended for adoption: high school social science and world history. Supporting information is located in Exhibit 2.

*CUSD Strategic Plan Pillar 3: Academic Achievement & 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.

- 2. INSTRUCTIONAL MATERIALS RECOMMENDED FOR ADOPTION: HIGH SCHOOL SOCIAL SCIENCE/WORLD HISTORY:** DISCUSSION/  
ACTION

San Juan Hills High School is requesting the adoption of *World History: Modern World, CA (Spanish edition)* published by Prentice Hall for high school social science/world history for the Two-Way Language Academy. This title has been approved by the Instructional Materials Review Committee. It would be adopted for a seven-year period. Purchases of this title would be paid with lottery funds at a cost of approximately \$3,500.

*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.

Following discussion, it is recommended the Board of Trustees approve the adoption of *World History: Modern World, CA (Spanish edition)* published by Prentice Hall for high school social science/world history classes for the Two-Way Language Academy.

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

**3. PUBLIC HEARING – INSTRUCTIONAL MATERIALS RECOMMENDED FOR ADOPTION: MIDDLE SCHOOL HISTORY/SOCIAL SCIENCE:**

INFORMATION/  
DISCUSSION

The Board will conduct a public hearing on instructional materials recommended for adoption: middle school history/social science. Supporting information is located in Exhibit 4.

*CUSD Strategic Plan Pillar 3: Academic Achievement & 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.

**4. INSTRUCTIONAL MATERIALS RECOMMENDED FOR ADOPTION: MIDDLE SCHOOL HISTORY/SOCIAL SCIENCE:**

DISCUSSION/  
ACTION

Las Flores Middle School is requesting the adoption of the following supplemental reading titles for use with history/social science: *The Glorious Cause* written by Jeff Shaara and published by Random House; *Rise to Rebellion* written by Jeff Shaara and published by Random House; *1776* written by David McCullough and published by Simon & Schuster; *First American: the Life & Times of Benjamin Franklin* written by H. W. Brands and published by Knopf Doubleday; *Independence: the struggle to set America free* written by John Ferling and published by Bloomsbury; *John Adams* written by David McCullough and published by Simon & Schuster; *Thomas Jefferson: The Art of Power* written by Jon Meacham and published by Random House. These titles have been approved by the Instructional Materials Review Committee. They 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*

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 approve the adoption of the materials listed above for middle school history/social science classes.

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

**5. PUBLIC HEARING – INSTRUCTIONAL MATERIALS RECOMMENDED FOR ADOPTION: PRESCHOOL AND TRANSITIONAL KINDERGARTEN:**

INFORMATION/  
DISCUSSION

The Board will conduct a public hearing on instructional materials recommended for adoption: Preschool and Transitional Kindergarten. Supporting information is located in Exhibit 6.

*CUSD Strategic Plan Pillar 3: Academic Achievement & 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. INSTRUCTIONAL MATERIALS RECOMMENDED FOR ADOPTION: PRESCHOOL & TRANSITIONAL KINDERGARTEN:**

DISCUSSION/  
ACTION

Early Childhood Department is requesting the adoption of the *Big Day* program published by Scholastic for use in Preschool and Transitional Kindergarten (TK). These materials have been approved by the Instructional Materials Review Committee. They would be adopted for a seven-year period. The cost estimate for preschool and TK classrooms is \$115,000. Purchases of these materials would be paid with Child Development reserve funds.

*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.

Following discussion, it is recommended the Board of Trustees approve the adoption of the *Big Day* program published by Scholastic for use in Preschool and Transitional Kindergarten.

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

**DISCUSSION/ACTION ITEMS**

**7. TECHNOLOGY INFRASTRUCTURE REPORT:**

INFORMATION/  
DISCUSSION  
Page 1  
**EXHIBIT 7**

This item provides an overview of the District’s technology infrastructure and services. The report will explain the network upgrades that have taken place in the last two years, as well as what remains to be addressed. The report will also document the need to replace network equipment at 36 campuses. The network upgrades will provide comparable access for all school sites and will contribute to the District’s goal of equitable Internet access at all schools sites. The network upgrades will provide the foundational components necessary to allow for such applications as Voice over Internet Protocol phones, Internet Protocol security systems, and mobile devices to be added to the network. The District is ready to replace 279 Intermediate Distribution Facility switches and add 703 wireless access points at 36 campuses at an estimated total cost of \$1.7 million.

*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. This is an information item only and no Board action is necessary.

**8. PURCHASE OF NETWORK EQUIPMENT FOR VARIOUS SCHOOL SITES:**

DISCUSSION/  
ACTION  
Page 31  
**EXHIBIT 8**

In order to bring all schools in the District up to date with the latest wireless connectivity, this agenda item requests approval of the purchase of networking equipment, services, and support to upgrade the infrastructure at 36 school sites in the amount of \$1,679,784. The project will be funded by the Community Facilities District funds and developer fees.

*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 the purchase of network equipment for various school sites.

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

**9. RESOLUTION NUMBER 1213-40, CLASSIFIED LAYOFF NON-MANAGEMENT EMPLOYEES:**

This will be the first year since 2007 the District will not be recommending classified layoffs for budget reduction purposes. Positions to be eliminated are due to the lack of certainty with existing categorical funding sources. This resolution also eliminates vacant positions. Classified layoffs are governed by the California Education Code. Layoffs are defined in §45117(a). When, as a result of the expiration of a specially funded program, classified positions must be eliminated at the end of any school year, and classified employees will be subject to layoff for lack of funds, the employees to be laid off at the end of the school year shall be given written notice on or before April 29 informing them of their layoff effective at the end of the school year and of their displacement rights, if any, and reemployment rights. However, if the termination date of any specially funded program is other than June 30, the notice shall be given not less than 60 days prior to the effective date of their layoff. In addition, §45117 states classified employees may be laid off due to a bona fide reduction, elimination of a service being performed, or lack of funds. The layoff process considers length of service (e.g., seniority) and any other higher classifications, with no skipping permitted for special expertise. This year, the categorical funding revenue remains uncertain and potentially more complicated with the introduction of the Governor's Local Control Funding Formula. As a result, the District must consider eliminating positions due to a lack of funds. As of January 1, 2013, classified employees must now be given a 60 day notice prior to the effective date of any layoff. Individuals laid off shall be eligible for reemployment for a period of 39 months pursuant to Education Code §45298

***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, who will present this item.

Following discussion, it is recommended the Board of Trustees approve Resolution No. 1213-40, Classified Layoff Non-Management Employees, in the designated classifications.

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

ROLL CALL:

Student Advisor Madison Wolfert \_\_\_\_\_

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

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

Trustee Hanacek \_\_\_\_\_

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

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

Trustee Reardon \_\_\_\_\_

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

DISCUSSION/  
ACTION

Page 51

**EXHIBIT 9**

**10. REBALANCING COMMUNITY FACILITIES DISTRICT CONTRIBUTIONS TO THE CERTIFICATE OF PARTICIPATION DEBT SERVICE:**

DISCUSSION/  
ACTION  
Page 53  
**EXHIBIT 10**

At the Board meeting on March 13, 2013, Trustees continued this item to April 24, 2013, requesting staff to evaluate rebalancing the Community Facilities District contribution to the Certificate of Participation debt service using a per-student method for analysis in addition to the per-household method previously presented. There are no general fund implications.

*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 Rebalancing Community Facilities District Contributions to the Certificate of Participation Debt Service using a per-household method.

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

**11. SECOND READING-REVISIONS TO BOARD POLICY 1312.3, UNIFORM COMPLAINT PROCEDURES:**

DISCUSSION/  
ACTION  
Page 63  
**EXHIBIT 11**

As Education Code changes it becomes necessary to update policies. The Uniform Complaint Procedures policy is a revised Board Policy to meet new legal compliance requirements. There is no financial impact.

*CUSD Strategic Plan Pillar 5: Effective Operations*

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

Staff Recommendation

It is recommended that the Board President recognize Jodee Brentlinger, Assistant Superintendent, Personnel Services, to present the second reading of Board Policy 1312.3, *Uniform Complaint Procedures*.

Following discussion, it is recommended the Board of Trustees approve the revisions to of Board Policy 1312.3, *Uniform Complaint Procedures*.

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

**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**

**12. SCHOOL BOARD MINUTES:**

Approval of the minutes of the March 13, 2013, regular Board meeting.

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

Page 71  
**EXHIBIT 12**

**13. SCHOOL BOARD MINUTES:**

Approval of the minutes of the March 27, 2013, regular Board meeting.

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

Page 79  
**EXHIBIT 13**

14. **SCHOOL BOARD MINUTES:**  
Approval of the minutes of the April 15, 2013, special Board meeting.  
*Contact: Jane Boos, Manager, Board Office Operations*

Page 87  
**EXHIBIT 14**

**CURRICULUM & INSTRUCTION**

15. **EXPULSION READMISSIONS:**  
Approval to readmit students from expulsion. Due to the confidential nature of student expulsion readmissions, 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*

16. **MASTER TEACHER PAYMENT:**  
Approval of payment to District master teachers who supported a student teacher during the 2012 fall semester. Student teachers from various universities are placed in the District throughout the school year. Current university agreements specify that institutions pay master teachers a nominal stipend for their supervision and support of student teachers. California State University, Fullerton has agreed to reimburse the District for all costs associated with compensating master teachers. The compensation amounts vary due to statutory costs.  
*CUSD Strategic Plan Pillar 5: Effective Operations*  
*Contact: Julie Hatchel, Assistant Superintendent, Education Services*

Page 89  
**EXHIBIT 16**

17. **STUDENT TEACHING AGREEMENT - GRAND CANYON UNIVERSITY:**  
Approval of student teaching agreement with Grand Canyon University. During the school year, master teachers are selected to work with student teachers to fulfill the requirements for student teaching at various institutes of higher education. Student teaching is the fieldwork experience necessary to earn a teaching credential.  
*CUSD Strategic Plan Pillar 1: Community Relations*  
*Contact: Julie Hatchel, Assistant Superintendent, Education Services*

Page 91  
**EXHIBIT 17**

18. **STUDENT TEACHING AGREEMENT – UNIVERSITY OF REDLANDS:**  
Approval of student teaching agreement with University of Redlands. During the school year, master teachers are selected to work with student teachers to fulfill the requirements for student teaching at various institutes of higher education. Student teaching is the fieldwork experience necessary to earn a teaching credential.  
*CUSD Strategic Plan Pillar 1: Community Relations*  
*Contact: Julie Hatchel, Assistant Superintendent, Education Services*

Page 95  
**EXHIBIT 18**

**BUSINESS & SUPPORT SERVICES**

19. **PURCHASE ORDERS, COMMERCIAL WARRANTS, AND PREVIOUSLY BOARD-APPROVED BIDS AND CONTRACTS:**  
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 \$1,385,674.43; the commercial warrants total \$7,134,729.81. 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. Attachment 4 is a list of previously Board-approved by vendor warrants exceeding \$250,000.  
*CUSD Strategic Plan Pillar 5: Effective Operations*  
*Contact: Clark Hampton, Deputy Superintendent, Business and Support Services*

Page 99  
**EXHIBIT 19**

**20. DONATION OF FUNDS AND EQUIPMENT:**

A number of gifts have been donated to the District, including \$71,909.03 in cash. These funds will be deposited in the appropriate school accounts. Items other than cash have no financial impact on the budget. The District does not guarantee maintenance of items or the expenditure of any District funds for continued use.

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

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

Page 143

**EXHIBIT 20**

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

Approval and ratification of District standardized Independent Contractor, Professional Services Agreements and Amendments. Due to state budget cuts to schools over the last several years, 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 exhibit shows four new agreements totaling \$342,850, two amendments to existing contracts totaling \$65,000, and one ratification of a new independent contractor agreement totaling \$2,400.

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

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

*CUSD Strategic Plan Pillar 5: Effective Operations*

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

Page 145

**EXHIBIT 21**

**22. SPECIAL EDUCATION INFORMAL DISPUTE RESOLUTION AGREEMENTS:**

Approval of the ratification of special education Informal Dispute Resolution Agreements for Case #023413, #033613, and #034513. Due to the confidential nature of the agreements, 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*

**23. WAIVER REQUEST FOR SCHOOL ABSENCES DUE TO IMMINENT DANGER:**

Approval of Waiver Request for School Absences Due to Imminent Danger. On December 21, 2012, all six District high schools and two middle schools suffered a 10 percent (material) decrease in attendance. After the December tragedy at Sandy Hook Elementary School in Connecticut, schools throughout the nation suffered rumors of threats. Although our schools remained open, some parents opted to keep their children home. California Education Code § 46392 and §41422 allows school districts to apply to the State for attendance credit when a district experiences a material decrease in attendance because of emergency conditions as a result of fire, flood, impassable roads, epidemic, earthquake, safety hazard, a non-district transportation service strike, or a military threat. The potential financial impact of the lost calendar days for the eight school sites is estimated to be 23.72 average daily attendance or \$123,344.

*CUSD Strategic Plan Pillar 5: Effective Operations*

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

Page 179

**EXHIBIT 23**



24. **RESOLUTION 1213-41, EDUCATION PROTECTION ACT:** Page 185  
**EXHIBIT 24**  
 Approval of Resolution 1213-41, Education Protection Act. On November 6, 2012, voters approved Proposition 30. The monies received from the Education Protection Account (EPA) shall be spent according to Article XIII, §36 of the California Constitution. The Board is required to determine, at a Board meeting, how the District plans to spend the EPA money and annually post on the District website an accounting of the amount of EPA money received and how it was spent.  
*CUSD Strategic Plan Pillar 5: Effective Operations*  
*Contact: Clark Hampton, Deputy Superintendent, Business and Support Services*
25. **JOINT POWERS AGREEMENT – SUPPLEMENTAL LAW ENFORCEMENT SERVICES, COUNTY OF ORANGE:** Page 191  
**EXHIBIT 25**  
 Approval of a Joint Powers Agreement with the County of Orange Sheriff-Coroner Department to provide supplemental law enforcement services, as needed by the District. This agreement covers services for the period of July 1, 2013, through June 30, 2014. The contractor will provide services at the rates indicated in the agreement, paid by the general fund and various site funds, depending on the services requested. Expenditures are limited to \$20,000.  
*CUSD Strategic Plan Pillar 2: Safe and Healthy Schools*  
*CUSD Strategic Plan Pillar 5: Effective Operations*  
*Contact: Clark Hampton, Deputy Superintendent, Business and Support Services*
26. **JUVENILE COURT WORK PROGRAM SERVICES AGREEMENT WITH THE COUNTY OF ORANGE:** Page 203  
**EXHIBIT 26**  
 Approval of Juvenile Court Work Program Services Agreement with the County of Orange to provide weed abatement services on District slopes and grounds. The services are performed by juvenile probationers under the administration of the County of Orange Chief Probation Officer. The contractor will provide services at the rates indicated in the agreement, paid from the general fund. Expenditures are limited to \$20,000.  
*CUSD Strategic Plan Pillar 5: Effective Operations*  
*Contact: Clark Hampton, Deputy Superintendent, Business and Support Services*
27. **AGREEMENT FOR ARCHITECTURAL AND RELATED SERVICES WITH WLC ARCHITECTS, INCORPORATED:** Page 221  
**EXHIBIT 27**  
 Approval of Agreement for Architectural and Related Services with WLC Architects, Incorporated to provide preliminary estimates, schematic design, design development, and construction document preparation services for projects, as identified by the District to prepare for the bidding process. Annual expenses under this contract are limited to \$350,000, funded by various project funds.  
*CUSD Strategic Plan Pillar 5: Effective Operations*  
*Contact: Clark Hampton, Deputy Superintendent, Business and Support Services*
28. **AGREEMENT FOR ARCHITECTURAL AND RELATED SERVICES WITH WLC ARCHITECTS, INCORPORATED:** Page 251  
**EXHIBIT 28**  
 Approval of Agreement for Architectural and Related Services with WLC Architects, Incorporated (WLC) to provide services related to the design and construction of the lunch pavilion at Capistrano Valley High School. Originally, an agreement was brought to the Board of Trustees for approval on February 27, 2013. This new agreement contains changes in the terms and conditions negotiated by WLC and the District. WLC will be the architect of record with the Division of State Architect on this project. Architectural fees for this project are \$120,000, funded from CFD 87-1.  
*CUSD Strategic Plan Pillar 5: Effective Operations*  
*Contact: Clark Hampton, Deputy Superintendent, Business and Support Services*

**29. AGREEMENT FOR ARCHITECTURAL AND RELATED SERVICES WITH WLC ARCHITECTS, INCORPORATED:**

Page 285  
**EXHIBIT 29**

Approval of Agreement for Architectural and Related Services with WLC Architects, Incorporated (WLC) to complete the Capistrano Valley High School Performing Arts Center project. Originally an agreement was brought to the Board of Trustees for approval on February 13, 2013. This new agreement contains changes in the terms and conditions negotiated by WLC and the District. WLC is the architect of record with the Division of State Architect on this project. In order to complete the contract, approximately \$109,000 in architectural services remains to be completed, funded from CFD 87-1.

*CUSD Strategic Plan Pillar 5: Effective Operations*

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

**30. RATIFICATION OF CHANGE ORDER NO. 18 – BID NO. 1011-11, CAPISTRANO VALLEY HIGH SCHOOL PERFORMING ARTS CENTER:**

Page 315  
**EXHIBIT 30**

Ratification of Change Order No. 18 related to the construction of the Capistrano Valley High School Performing Arts Center. In a previous action, the Board of Trustees 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 approved work orders and the resulting change order are shown in the exhibit. The original contract sum was \$11,975,007. The new contract sum including Change Order No. 18 is \$12,838,021.

*CUSD Strategic Plan Pillar 5: Effective Operations*

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

**31. GOVERNMENT CLAIM: 13-10276 DP:**

Page 399  
**EXHIBIT 31**

Denial of Claim 13-10276 DP filed against the District. Staff will follow up with appropriate action. This agenda item pertains to a claim filed against the District by Attorney Fred R. Fletcher on behalf of Jeff Mayers. The claim alleges that the District should be responsible for an alleged incident that occurred on November 14, 2012. The claimant alleges the District should have known that an unauthorized person on campus had access to steal a CR&R trash truck from Marco Forster Middle School which crashed into the claimant causing bodily injury. It is the recommendation of the District's liability claims administrator to deny this claim based on the investigation of the events at this time and to set the statute of limitations timeline. 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*

**32. AMENDMENT TO AGREEMENT BID NO. 1213-01, PLUMBING SERVICE, ADDITIONAL FUNDS:**

Page 401  
**EXHIBIT 32**

Approval of Amendment to Agreement Bid No. 1213-01 for plumbing service with Pacific Plumbing Company of Santa Ana. This amendment will increase the "not to exceed" amount to \$300,000 for additional services, as requested by the District. Expenditures will be funded from the deferred maintenance and the routine restricted maintenance accounts.

*CUSD Strategic Plan Pillar 5: Effective Operations*

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

- 33. EXTENSION OF AGREEMENT FOR REQUEST FOR QUALIFICATIONS NO. 12-0809, INSURANCE BROKER SERVICES FOR EXCESS WORKERS' COMPENSATION INSURANCE – KEENAN ASSOCIATES:** Page 409  
**EXHIBIT 33**  
Approval of Extension of Agreement for Request for Qualifications No. 12-0809 for insurance broker services for excess workers' compensation insurance to be provided by Keenan Associates. The vendor has agreed to maintain the previously negotiated discounted pricing. Expenditures utilizing this contract are limited to \$18,107, funded from the appropriate accounts, depending on services provided.  
*CUSD Strategic Plan Pillar 5: Effective Operations*  
*Contact: Clark Hampton, Deputy Superintendent, Business and Support Services*
- 34. EXTENSION OF INDEPENDENT CONTRACTOR AGREEMENT – D.R. MCNATTY & ASSOCIATES, INCORPORATED:** Page 435  
**EXHIBIT 34**  
Approval of extension of Independent Contractor Agreement No. I1011144 for software support and training services to be provided by D.R. McNatty & Associates, Incorporated. The vendor has agreed to maintain the previously negotiated discounted pricing for the contract renewal term, May 10, 2013, through May 9, 2014. This contract provides for software support services, on an as-needed basis, related to the various projects currently under construction. Expenditures utilizing this contract are limited to \$3,000, funded by the various project funds.  
*CUSD Strategic Plan Pillar 5: Effective Operations*  
*Contact: Clark Hampton, Deputy Superintendent, Business and Support Services*
- 35. EXTENSION OF BID NO. 1011-14 GROCERY PRODUCTS – A & R WHOLESALE DISTRIBUTORS, INCORPORATED; GOLD STAR FOODS INCORPORATED; SYSCO FOODS, INCORPORATED:** Page 449  
**EXHIBIT 35**  
Approval of extension of Bid No. 1011-14 for grocery products to be provided by A & R Wholesale Distributors Incorporated (A & R), Gold Star Foods Incorporated, and Sysco Foods Incorporated. Campus Foods was awarded a portion of the original contract, but was purchased by A & R on March 25, 2013. All items awarded to Campus Foods will be provided by A & R under this extension. The vendors were sent a letter requesting reduced pricing for the contract renewal term. Unfortunately, the industry has experienced increases in the price of raw commodities and higher fuel costs, causing many manufacturers to increase pricing. This extension provides 82 different grocery products for purchase by Food and Nutrition Services. Annual expenditures under these contracts are limited to \$190,000, funded by Food and Nutrition Services.  
*CUSD Strategic Plan Pillar 5: Effective Operations*  
*Contact: Clark Hampton, Deputy Superintendent, Business and Support Services*
- 36. EXTENSION OF BID NO. 1011-13 SNACK AND BEVERAGE PRODUCTS – A & R WHOLESALE DISTRIBUTORS, INCORPORATED:** Page 549  
**EXHIBIT 36**  
Approval of extension of Bid No. 1011-13 for snack and beverage products to be provided by A & R Wholesale Distributors, Incorporated (A & R). The vendor was sent a letter requesting reduced pricing for the contract renewal term. Unfortunately, the industry has experienced increases in the price of raw commodities and higher fuel costs. The extension provides 51 difference products for purchase by Food and Nutrition Services. A & R responded and out of 51 items, 5 items remained at the same price, 1 item decreased in price, 40 items increased in price, and 5 items are no longer available. Documentation has been provided showing the manufacturer's price increases. Annual expenditures under this contract are limited to \$650,000, funded by Food and Nutrition Services.  
*CUSD Strategic Plan Pillar 5: Effective Operations*  
*Contact: Clark Hampton, Deputy Superintendent, Business and Support Services*

**37. AWARD REQUEST FOR PROPOSAL NO. 1-1314, AFTER SCHOOL ENRICHMENT, ACTIVITIES, AND CAMPS PROGRAM PROVIDER – SOUTH ORANGE COUNTY COMMUNITY COLLEGE DISTRICT:**

Approval of Award Request for Proposal No. 1-1314, After School Enrichment, Activities, and Camps Program Provider for the management of an after school enrichment program utilizing District facilities to South Orange County Community College District. The selection was based on the history of South Orange County Community College District as a leader of promoting life-long learning and personal success. The program offers short-term, fee-based classes for children and teens. The classes are offered in response to community needs as identified by feedback from participants, enrollment history, popularity of similar programs offered elsewhere, and current trends. The terms and conditions of the contract are to be negotiated. Once finalized, the contract will be brought to the Board of Trustees for approval. The contract will provide a revenue stream to the general fund for use of facilities fees charged.

*CUSD Strategic Plan Pillar 5: Effective Operations*

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

**38. ADVERTISE BID NO. 1314-02, FROZEN FOOD PRODUCTS:**

Approval to advertise for bids for frozen food products as requested by the District. The bid process provides the District an essential tool for purchasing with an approved vendor to supply quality products using contract prices. The purchase of frozen food products for all school sites will exceed the bid limit of \$83,400. In accordance with the requirements of the Public Contract Code §20111, the purchase of frozen food products is required to be competitively bid. The bidding process allows the District to secure the lowest possible prices and enter into an annual contract with a vendor that meets all of the legal requirements to enable the purchasing process to be completed in a timely manner. It is estimated that the annual expenditure for frozen food products purchased using this bid would be approximately \$2,500,000, funded out of Food and Nutrition Services.

Due to the size, the bid documents will be posted online on the District Board Agendas and Supporting Documentation page.

*CUSD Strategic Plan Pillar 5: Effective Operations*

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

**39. ADVERTISE BID NO. 1314-04, AUDIO VISUAL EQUIPMENT:**

Approval to advertise for bids for audio visual equipment as requested by the District. The bid process allows the District to update the standard list of audio visual equipment with current brands and models and set pricing for the 2013-2014 school year. The purchase of audio visual equipment for all school sites will exceed the bid limit of \$83,400. In accordance with the requirements of the Public Contract Code Section 20111, the purchase of audio visual equipment is required to be competitively bid. The bidding process allows the District to secure the lowest possible prices and enter into an annual contract with a vendor that meets all of the legal requirements to enable the purchasing process to be completed in a timely manner. It is estimated that the annual expenditure for audio visual products purchased using this bid would be approximately \$300,000. Audio visual equipment may be funded through many sources such as gift, site funds, and grants.

Due to the size, the bid documents will be posted online on the District Board Agendas and Supporting Documentation page.

*CUSD Strategic Plan Pillar 5: Effective Operations*

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

**PERSONNEL SERVICES**

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

Page 579  
**EXHIBIT 40**

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*

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

Page 587  
**EXHIBIT 41**

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*

**42. QUARTERLY REPORT – WILLIAMS SETTLEMENT UNIFORM COMPLAINT:**

Page 595  
**EXHIBIT 42**

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. There are no deficiencies or complaints to report this quarter.

*CUSD Strategic Plan Pillar 5: Effective Operations.*

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

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

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

ROLL CALL:

Student Advisor Madison Wolfert \_\_\_\_\_

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

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

Trustee Hanacek \_\_\_\_\_

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

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

Trustee Reardon \_\_\_\_\_

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

**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 8, 2013, 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.*