

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

BOARD OF TRUSTEES  
Regular Meeting

March 27, 2013

Closed Session 6:30 p.m.  
Open Session 7:00 p.m.

**AGENDA**

**CLOSED SESSION AT 6:30 P.M.**

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

**A. STUDENT EXPULSIONS**

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

**EXHIBIT 3 A1-A6**

**PUBLIC HEARING: Agenda Item #1– Boundary Adjustments for Viejo Elementary School Study Areas**  
**PUBLIC HEARING: Agenda Item #3– Request to Waive the Penalty for Class Size Increases in Kindergarten through Eighth Grade**

**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**

*Recognition by the City of San Clemente of District and San Clemente Family of PTSAs  
support of Kindness Counts and Blue Ribbon Week  
2013 DHHS National Ocean Science Bowl Regional Winners*

**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 – BOUNDARY ADJUSTMENTS FOR VIEJO ELEMENTARY SCHOOL STUDY AREAS:** INFORMATION/  
DISCUSSION

The Board will conduct a public hearing on boundary adjustments for Viejo Elementary School study areas. 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. BOUNDARY ADJUSTMENTS FOR VIEJO ELEMENTARY SCHOOL STUDY AREAS:** DISCUSSION/  
ACTION

At the January 23, 2013, Board meeting, the Board of Trustees voted to convert Viejo Elementary School into a Two-Way Language Academy, phasing out the traditional English/Structured English Immersion classes for students. At the March 13, 2013, Board meeting, staff presented recommendations to begin phasing out Viejo's kindergarten through second grade English/Structured English Immersion classes in Fall 2013, with an additional grade level phased out each year thereafter. Staff also recommended reassigning students who do not attend the Two-Way Language Academy to Bathgate Elementary School.

*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.

**EXHIBIT 2**

Following discussion, it is recommended the Board of Trustees approve the phase-out plan of the English/Structured English Immersion classes beginning with kindergarten through second grade classes in Fall 2013, with an additional grade level phased out each year thereafter, and reassign students who do not attend the Two-Way Language Academy to Bathgate Elementary School.

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

**3. PUBLIC HEARING – REQUEST TO WAIVE THE PENALTY FOR CLASS SIZE INCREASES IN KINDERGARTEN THROUGH EIGHTH GRADE:**

INFORMATION/  
DISCUSSION

The Board will conduct a public hearing on a request to waive the penalty for class size increases in kindergarten through eighth grade. 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. REQUEST TO WAIVE THE PENALTY FOR CLASS SIZE INCREASES IN KINDERGARTEN THROUGH EIGHTH GRADE:**

DISCUSSION/  
ACTION

Page 5

**EXHIBIT 4**

The District is requesting a California Department of Education waiver of penalties for increasing kindergarten through third grade individual class sizes, and for increasing kindergarten through eighth grade class size averages, in 2013-2014. Previous approval was granted for the kindergarten through third grade waiver for the 2012-2013 school year and fourth through eighth grade waiver for the 2011-2012 and 2012-2013 school years. This request is a renewal of the same waivers. Approval of the waivers would eliminate penalties for overall kindergarten class averages above 31, first through third grade class averages above 30, and grades four through eight averages above 29.9. The waiver would also eliminate the penalties for increasing the individual class size in kindergarten to above 33 and individual class size in grades one through three to above 32. The maximum individual class size in kindergarten through third grade would be 35 students. The maximum District class average would be 33 students in kindergarten and 34 students in grades one through three. Approval of this waiver would also provide additional staffing and placement options that will reduce the number of combination classes at the elementary level.

*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 Kindergarten through Eighth Grade Class Size Penalty Waiver Requests.

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

**DISCUSSION/ACTION ITEMS**

**5. RESOLUTION NO. 1213-37, AN INCREASE IN STATUTORY SCHOOL FEES IMPOSED ON NEW RESIDENTIAL AND COMMERCIAL/INDUSTRIAL CONSTRUCTION PURSUANT TO EDUCATION CODE §17620 AND GOVERNMENT CODE §65995:**

DISCUSSION/  
ACTION  
Page 7  
**EXHIBIT 5**

At the Board meeting on March 13, 2013, Trustees continued this item to March 27, 2013, requesting a presentation that clarifies the nexus between areas of the District be responsible for paying these fees, absent of the current Rancho Mission Viejo development negotiation. AB 181 authorizes the State Allocation Board (SAB) to approve an increase in developer fees every two years. On January 25, 2012, the SAB authorized an increase in the amount of the developer fees that a school district can levy. Developer fees for new residential development were increased from \$2.97 to \$3.20 per square foot, and commercial/industrial fees were increased from \$0.47 to \$0.51 per square foot, as long as such increases are properly justified by the District pursuant to the law. Legislation pertaining to developer fees allows the increase of fees every two years, as determined by the SAB. The District last approved an increase in developer fees on March 10, 2008. This agenda item pertains to the adoption of Resolution No. 1213-37, An Increase in Statutory School Fees Imposed on New Residential and Commercial/Industrial Construction Pursuant to Education Code §17620 and Government Code §65995.

***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. 1213-37, An Increase in Statutory School Fees Imposed on New Residential and Commercial/Industrial Construction Pursuant to Education Code §17620 and Government Code §65995.

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

**ROLL CALL:**

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

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

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

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

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

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

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

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

**6. GOALS AND OBJECTIVES FOR THE ONGOING WORK OF THE DISTRICT SUPERINTENDENT:**

INFORMATION/  
DISCUSSION  
Page 13  
**EXHIBIT 6**

The employment agreement between Superintendent Joseph Farley and the District requires the Board to meet with Dr. Farley to agree upon goals and objectives for his evaluation for the succeeding school year. At the February 27, 2013, Board meeting, Trustees were asked to submit to Board President John M. Alpay suggested goals and objectives. The submitted information is referenced in the exhibit and presented for further Board discussion and review.

***CUSD Strategic Plan Pillar 5: Effective Operations***

***Contact: Joseph M. Farley, Superintendent***

Staff Recommendation

It is recommended the Board President recognize Joseph Farley, Superintendent, to present this item. This is an information item only and no Board action is necessary at this time.

**7. SCHOOL BOARD MEETING SCHEDULE FOR JANUARY THROUGH JUNE:**

DISCUSSION/  
ACTION  
Page 15  
**EXHIBIT 7**

Regular Board meetings are held on the second and fourth Wednesday of each month. This agenda item presents to the Board of Trustees the proposed schedule of meetings for the period January through June 2014. Only one meeting was scheduled in April due to Spring Recess.

*CUSD Strategic Plan Pillar 5: Effective Operations*

*Contact: Joseph M. Farley, Superintendent*

Staff Recommendation

It is recommended the Board of Trustees approve the proposed January through June 2014 School Board Meeting Schedule.

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

**8. FIRST READING – REVISIONS TO BOARD POLICY 1312.3, UNIFORM COMPLAINT PROCEDURES:**

INFORMATION/  
DISCUSSION  
Page 17  
**EXHIBIT 8**

As Education Code changes, it becomes necessary to update policies. The Uniform Complaint Procedures policy has been 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 revisions to Board Policy 1312.3, *Uniform Complaint Procedures*.

**9. PROPOSITION 39 PRELIMINARY FACILITIES OFFER – COMMUNITY ROOTS ACADEMY:**

On November 1, 2012, the District received Community Roots Academy's request for proposition 39 facilities for the 2013-2014 school year. The District is obligated under Proposition 39, Education Code §47614 and California Code of Regulations Title 5 §11969.1 through §11969.11 to provide certain facilities to charter schools to house 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 2013-2014. By February 1, 2013, the District was 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. However, prior to February 1, the District staff and Community Roots Academy were in negotiations on an agreement in lieu of a Proposition 39 facilities offer. These negotiations have been successful, and the District and Community Roots Academy have agreed in principle, on the terms of an in-lieu agreement. In a series of written correspondence with the District between March 4 and March 15, Community Roots Academy has opted to pursue the in-lieu agreement and withdraw its request for facilities under Proposition 39.

*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.

**10. PROPOSITION 39 FINAL FACILITIES OFFER – OXFORD PREPARATORY ACADEMY:**

DISCUSSION/  
ACTION  
Page 25  
**EXHIBIT 10**

On November 1, 2012, the District received Oxford Preparatory Academy’s Request for Proposition 39 Facilities for the 2013-2014 school year. The District is obligated under Proposition 39, Education Code §47614, and California Code of Regulations Title 5 §11969.1 through §11969.11 to provide certain facilities to charter schools to house in-district classroom students. Oxford Preparatory Academy is currently chartered by the District and is occupying all of the facilities at the Barcelona Hills Elementary School’s campus (except for two portables owned and occupied by the YMCA). On February 1, 2013, as required by Proposition 39, the District provided Oxford Preparatory Academy with a preliminary proposal regarding the space to be allocated to the charter school and/or to which the charter school is to be provided access. On March 1, 2013, Oxford Preparatory Academy responded to the District’s preliminary offer. By April 1, 2013, the District is required to provide Oxford Preparatory Academy with a final facilities offer for the 2013-2014 school year. This offer is compliant with the law and balances the facility needs of the charter school with the facility and programmatic needs of the District. Approval of this agenda item will provide the charter school with the District’s final facilities proposal for 2013-2014.

*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 approve the provision of Proposition 39 facilities to Oxford Preparatory Academy for the 2013-2014 school year under the terms and conditions outlined in the exhibit.

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

**11. RESOLUTION OF THE BOARD OF TRUSTEES REGARDING THE PROPOSED RESTART OF THE SAN ONOFRE DEFECTIVE UNIT TWO NUCLEAR REACTOR:**

DISCUSSION/  
ACTION  
Page 63  
**EXHIBIT 11**

It was suggested at the March 13, 2013, Board meeting that a resolution be written regarding the proposed restart of the San Onofre Defective Unit 2 nuclear reactor. Proposed Resolution No. 1213-39, Determination of the Board of Trustees Regarding San Onofre Nuclear Generating Station, is provided as the exhibit.

*CUSD Strategic Plan Pillar 5: Effective Operations*

*Contact: Joseph M. Farley, Superintendent*

Staff Recommendation

It is recommended the Board of Trustees discuss the proposed resolution and determine if there is interest in formally adopting it.

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

**ROLL CALL:**

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

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

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

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

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

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

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

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

## CONSENT CALENDAR

All matters listed under the Consent Calendar are considered by the Board to be routine and will be enacted by the Board in one motion in the form listed below. There will be no discussion of these items prior to the time the Board votes on the motion unless members of the Board, staff, or the public request specific items to be discussed and/or removed from the Consent Calendar. The Superintendent and the staff recommend approval of all consent Calendar items.

### CURRICULUM & INSTRUCTION

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

Approval to waive California Education Code §60851(c) and Board Policy 6162.52 for two 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 1213-016 through 1213-017. 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. There is no financial impact.

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

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

**13. PROPOSED 2013 SUMMER HIGH SCHOOL CREDIT RECOVERY OPTIONS:**

Page 65  
**EXHIBIT 13**

Approval of the Proposed 2013 Summer High School Credit Recovery Options. Orange County Department of Education (OCDE) has offered to enroll up to 1,500 District students at Pacific Coast High School in order to make up college-prep, "A-G" coursework during Summer 2013. Students enrolled at Pacific Coast High School would complete their studies online. OCDE can accommodate another 1,500 District students in the Alternative Community Correctional Education Schools and Services (ACCESS) program to remediate non-college prep credit deficiencies. Students participating in the ACCESS program would meet weekly with their instructor to turn in work and receive new assignments. ACCESS instructors would be stationed on District high school campuses. Since the OCDE programs do not offer College and Career Preparation, the District Adult Education program would offer the program using a combination of APEX online licenses with weekly face-to-face examinations. The financial implication of this recommended program is estimated to be \$14,000. Of the cost, \$10,000 will be paid out of the Adult Education budget and \$4,000 will be paid out of the general fund.

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

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

**14. AGREEMENT TO REFER STUDENTS TO ALTERNATIVE COMMUNITY AND CORRECTIONAL SCHOOLS AND SERVICES FOR JULY AND AUGUST 2013:**

Page 67  
**EXHIBIT 14**

Approval of Agreement to Refer Students to Alternative Community and Correctional Schools and Services for July and August 2013. Since July 2010, the Alternative Community and Correctional Educational Schools and Services (ACCESS) has provided District high school students the opportunity to remediate credit deficiencies during July and August. Each year the District must enter into an Agreement to Refer Students, which allows the District to refer student to ACCESS for services. This agreement allows ACCESS to enroll District students for the purposes of remediating high school credit deficiencies during the months of July and August. There is no financial impact.

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

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

**15. AGREEMENT WITH FOOD, OCCUPATION, CLOTHING, UNDERSTANDING, AND SHELTER NORTH AMERICA FOR SHOE DISTRIBUTION:**

Page 69  
**EXHIBIT 15**

Approval of the Food, Occupation, Clothing, Understanding, and Shelter (FOCUS) North America Shoe Distribution Agreement. FOCUS North America, a registered 501(c)3 organization is seeking to help the homeless of America. They are a recipient of a grant from TOMS Shoes that will allow them to give two pairs of shoes per year to homeless children in the United States. Distribution will be through school district Homeless Liaisons. The District is requesting shoes for 72 students. There is no financial impact.

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

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

**16. MEMORANDUM OF UNDERSTANDING WITH ORANGE COUNTY HEAD START, INCORPORATED AND THE DISTRICT'S EARLY CHILDHOOD PROGRAMS:**

Page 79  
**EXHIBIT 16**

Approval of the Memorandum of Understanding (MOU) with Orange County Head Start, Incorporated. This MOU establishes a collaborative partnership with Orange County Head Start, Incorporated to support and enhance the availability and quality of services for children, ages birth to five years, and their families in the District's Early Childhood Programs. There is no financial impact.

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

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

**17. SECOND AMENDMENT TO RESOLUTION NO. 1213-01, 2012-2013 CALIFORNIA STATE FUNDED PRESCHOOL CONTRACT:**

Page 85  
**EXHIBIT 17**

Approval of Second Amendment to Resolution No. 1213-01, 2012-2013 California State Funded Preschool Contract. Each year the District applies for and receives a contract through the California Department of Education Child Development Division for the continued funding of preschool services. State preschools are a comprehensive developmental program for three- to five-year-old children from low-income families. The program emphasizes parent education and involvement. In addition to preschool education activities, other components include health, nutrition, social services, and staff development. The state funded preschool contract provides a maximum reimbursable amount of \$2,186,487 for a minimum of 175 days of operation during the 2012-2013 school year. Amendment 02 to Contract Number CSPP-2322 includes: Change in Minimum Days of Operation Requirement from 180 to 175. There is no financial impact.

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

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

**18. STUDENT TEACHING AGREEMENT - UNIVERSITY OF SOUTHERN CALIFORNIA:**

Page 89  
**EXHIBIT 18**

Approval of student teaching agreement with University of Southern California. 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 California Teaching Credential.

*CUSD Strategic Plan Pillar 1: Community Relations*

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



**19. STUDENT TEACHING AGREEMENT - UNIVERSITY OF NORTHERN IOWA:**

Page 95  
**EXHIBIT 19**

Approval of student teaching agreement with University of Northern Iowa. 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*

**BUSINESS & SUPPORT SERVICES**

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

Page 97  
**EXHIBIT 20**

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 \$1,110,287.73; the commercial warrants total \$4,338,771.93. 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*

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

Page 127  
**EXHIBIT 21**

A number of gifts have been donated to the District, including \$343,035.54 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*

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

Page 129  
**EXHIBIT 22**

Approval and ratification of District standardized Independent Contractor, Master Contract, and 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 three new agreements totaling \$91,000, fifteen amendments to existing contracts totaling \$134,488.20, one ratification of a new independent contractor agreement totaling \$14,460.00, and one amendment ratification to an existing contract for a revised fee schedule.

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*

**23. SPECIAL EDUCATION SETTLEMENT AGREEMENT:**

Approval of the ratification of special education Settlement Agreement #2013010586. 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*

**24. INDEPENDENT CONTRACTOR AGREEMENT, REQUEST FOR QUALIFICATIONS NO. 6-1213, FOR DEMOGRAPHIC CONSULTANT SERVICES WITH DECISIONINSITE, LLC:** Page 217  
**EXHIBIT 24**

Approval of Independent Contractor Agreement, Request for Qualifications No. 6-1213, with DecisionInsite, LLC to provide demographic analysis, school specific and Districtwide enrollment projections, attendance boundary analysis and adjustment services, student yield analysis vs. housing turnover studies, and residential development activity reports. The residential development research fee is not to exceed \$4,000, and the annual services provided under this contract are not to exceed \$34,900, both funded out of capital facilities funds.

*CUSD Strategic Plan Pillar 5: Effective Operations*

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

**25. EXTENSION OF AGREEMENT FOR REQUEST FOR QUALIFICATIONS NO. 6-1011, SPECIAL TAX CONSULTING SERVICES FOR PUBLIC FINANCING – DAVID TAUSSIG & ASSOCIATES, INCORPORATED:** Page 227  
**EXHIBIT 25**

Approval of Extension of Agreement for Request for Qualifications No. 6-1011 for special tax consulting services to be provided by David Taussig & Associates, Incorporated. The vendor was sent a letter requesting reduced pricing for the contract renewal term, April 12, 2013, through April 11, 2014. David Taussig & Associates will hold its previously negotiated reduced pricing for the contract extension term. This contract provides for special tax consulting services described in the tasks outlined in the agreement. Expenditures utilizing this contract are not to exceed \$150,000, funded by Community Facilities District (CFD) funds. Each CFD is self-sustaining and funded through its annual tax levy. Any work associated with the annual tax levy can be paid from the CFD administrative expense fund.

*CUSD Strategic Plan Pillar 5: Effective Operations*

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

**26. AMENDMENT TO INDEPENDENT CONTRACTOR AGREEMENT, NMG GEOTECHNICAL, INCORPORATED:** Page 247  
**EXHIBIT 26**

Approval of Amendment to Independent Contractor Agreement No. I1011016 with NMG Geotechnical, Incorporated to add a field technician at the rate of \$85 per hour to the 2006 Professional Fee Schedule for on-call geotechnical services, as needed by the District. All other terms and conditions of the contract remain the same. The annual services provided under this contract shall not exceed \$150,000, paid out of of capital facilities funds.

*CUSD Strategic Plan Pillar 5: Effective Operations*

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

**27. ADVERTISE BID NO. 1314-03, ASPHALT PAVING, SEALCOATING, AND REPAIR:**

Approval to advertise for bids for asphalt paving, sealcoating, and repair services as requested by the District. This bid will provide the District an essential tool for purchasing with approved vendors to supply quality products and services using contract prices for a twelve-month period. The formal bid process allows the District to secure the lowest prices and enter into annual contracts with vendors that meet all of the legal requirements enabling the services to be completed in a timely manner. Annual expenditures utilizing this contract are not to exceed \$250,000, funded by deferred maintenance funds, routine restricted maintenance funds, modernization funds, and site funds.

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*

**28. SERVICES AND SOLUTIONS AGREEMENT WITH XEROX CORPORATION:**

Approval of Services and Solutions Agreement for purchase and warranty of hardware and software, installation, maintenance, software maintenance, lease, and training for copiers and printers with Xerox Corporation. This renegotiated contract using the State of California Multiple Award Schedule, Contract No. 3-01-36-0030A enables the District to obtain equipment to migrate the Print Shop from black and white to color and to remove old technology. The new contract will replace aging technology at school sites, bringing in new devices with more efficient and advanced technology to support the schools in the educational process. The contract eliminates overage charges and machine staple charges. Overall savings to the District is approximately \$12,000 per month. Annual services provided under this contract are limited to \$2,100,000, funded by the general fund.

Due to the size, the agreement 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**

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

Page 265  
**EXHIBIT 29**

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 Brenlinger, Assistant Superintendent, Personnel Services*

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

Page 271  
**EXHIBIT 30**

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 Brenlinger, 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, APRIL 24, 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.*