

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

BOARD OF TRUSTEES  
Regular Meeting

July 9, 2012

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

**AGENDA**

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

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

**A. STUDENT EXPULSIONS**

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

**EXHIBITS 3A1-A8**

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

(Pursuant to Government Code §54957)

**EXHIBIT 3B**

**C. PUBLIC EMPLOYEE PERFORMANCE EVALUATION**

Superintendent  
(Pursuant to Government Code §54957)

**EXHIBIT 3C**

**PUBLIC HEARING: Agenda Item 1 – Request to Waive the Penalty for Class Size Increases**

**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**

Trustee Bryson on behalf of Oxford Preparatory Academy  
Raad Ghantous – Designed the California Preparatory Academy Logo Design

**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**

- |  |                            |
|--|----------------------------|
| <b>1. REQUEST TO WAIVE THE PENALTY FOR CLASS SIZE INCREASES:</b>   | INFORMATION/<br>DISCUSSION |
| The Board will conduct a public hearing on the Kindergarten through Third Grade Class Size Penalty Waiver Request. Supporting information is located in Exhibit 2. |                            |
| <b><i>CUSD Strategic Plan Pillar 3: Academic Achievement and Enrichment</i></b>  |                            |
| <b><i>Contact: Julie Hatchel, Assistant Superintendent, Education Services</i></b>   |                            |

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.

- |  |   |
|--|---|
| <b>2. REQUEST TO WAIVE THE PENALTY FOR CLASS SIZE INCREASES:</b>   | DISCUSSION/<br>ACTION<br>Page 1<br><b>EXHIBIT 2</b> |
| The District is requesting a California Department of Education waiver of penalties for increasing kindergarten through third grade class sizes, and kindergarten through third grade class-size averages, for the 2012-2013 school year. Approval of the waiver will eliminate penalties for Districtwide kindergarten class averages above 31 and first through third grade Districtwide class averages above 30. The waiver will also eliminate penalties for individual kindergarten classes above 33 students and individual class sizes in grades one through three above 32 students. This waiver will also provide flexibility to reduce the number of combination classes at individual school sites. |   |
| <b><i>CUSD Strategic Plan Pillar 3: Academic Achievement and Enrichment</i></b>  |   |
| <b><i>Contact: Julie Hatchel, Assistant Superintendent, Education Services</i></b>   |   |

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 Kindergarten through Third Grade Class Size Penalty Waiver Request.

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

**DISCUSSION/ACTION ITEMS**

**3. PROPOSED 2012-2013 REVISED SCHOOL CALENDAR:**

This item presents a revised instructional calendar for the 2012-2013 school year implementing the provisions recently adopted within the contract agreement with Capistrano Unified Education Association. This agreement includes five instructional furlough days to be placed at the end of the school year.

***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 approve the proposed 2012-2013 revised school calendar.

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

DISCUSSION/  
ACTION  
Page 5  
**EXHIBIT 3**

**4. PROPOSED PARENT/TEACHER CONFERENCES FOR 2012-2013 SCHOOL YEAR:**

At the June 27, 2012, Board meeting Trustees approved reconsidering the dates of Fall 2012 Parent/Teacher Conferences currently scheduled for December 17-21 to November. Staff recommends moving the conferences to the week of November 5, 2012, for the 2012-2013 school year.

***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 provide direction concerning the 2012 Fall Parent/Teacher Conference dates to November 5-9.

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

DISCUSSION/  
ACTION

**5. MISSION HOSPITAL FAMILY RESOURCE COUNSELING MEMORANDUM OF UNDERSTANDING:**

This item seeks approval to pilot a program with the Family Resource Center at Mission Hospital to provide counseling services for students at Del Obispo Elementary School. Services will help families in the Del Obispo community who might not have insurance or the capability to pay for counseling services. This pilot program will give students additional access to needed services without any cost to the District.

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

***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 Mission Hospital Family Resource Counseling Memorandum of Understanding.

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

DISCUSSION/  
ACTION  
Page 7  
**EXHIBIT 5**

- 6. **MEMORANDUM OF UNDERSTANDING WITH BRANDMAN UNIVERSITY:** DISCUSSION/  
ACTION  
Page 21  
**EXHIBIT 6**

Brandman University and the District have developed a joint Memorandum of Understanding, providing guidelines to implement a comprehensive partnership to enhance the college and career readiness and academic achievement of Carl Hankey K-8 students. This partnership will support professional development, action research, parent education, and International Baccalaureate accreditation.

*CUSD Strategic Plan Pillar 1: Community Relations*

*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 Memorandum of Understanding with Brandman University.

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**

- 7. **SCHOOL BOARD MINUTES:** Page 23  
**EXHIBIT 7**  
Approval of the June 27, 2012, regular Board meeting.  
*Contact: Jane Boos, Manager, Board Office Operations*

**CURRICULUM & INSTRUCTION**

- 8. **PROPOSED SCHOOL START AND DISMISSAL TIMES FOR THE 2012-2013 SCHOOL YEAR:** Page 33  
**EXHIBIT 8**  
Approval of the start and dismissal times for the 2012-2013 school year. Per Board Policy 6111, this item seeks approval of the start and dismissal times for each school site for the 2012-2013 school year. There is no financial impact.  
*CUSD Strategic Plan Pillar 3: Academic Achievement & Enrichment*  
*Contact: Julie Hatchel, Assistant Superintendent, Education Services*

**BUSINESS & SUPPORT SERVICES**

- 9. **PURCHASE ORDERS, COMMERCIAL WARRANTS, AND PREVIOUSLY BOARD-APPROVED BIDS AND CONTRACTS:** Page 37  
**EXHIBIT 9**  
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 **\$61,973,978.18**; the commercial warrants total \$2,116,616.34. Attachment 3 is a list of previously Board-approved bids and contracts to assist in the review of the purchase order and commercial warrant listings.  
*CUSD Strategic Plan Pillar 5: Effective Operations*  
*Contact: Clark Hampton, Deputy Superintendent, Business and Support Services*

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

Page 67  
**EXHIBIT 10**

Approval of District standardized Independent Contractor, Master Contract, and Professional Services Agreements. The State of California is in financial crisis, and as a result, California school budgets have been cut by 25 percent over the past four years. Because of these significant cuts, staff requests contractors to reduce their fees for services by ten percent. The expenditures related to the listed agreements were previously authorized as part of the District's budget approval process. The agreements total \$781,500.

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*

**11. EXTENSION OF BID NO. 1112-01, AUDIO VISUAL EQUIPMENT – VARIOUS VENDORS:**

Page 109  
**EXHIBIT 11**

Approval of extension of Bid No. 1112-01 for audio visual equipment to be provided by AVID; B&H Photo Video; California Western Visuals; Camcor, Incorporated; Digital Networks Group, Incorporated; Golden Star Technology, Incorporated; Hewlett-Packard Company; MNJ Technologies Direct, Incorporated; Renaissance Learning, Incorporated; Troxell Communications, Incorporated; Valiant IMC, and W.B. Hunt Company, Incorporated. The bid was awarded to the vendor offering the lowest price for each item. Staff requested vendors to reduce pricing at each contract renewal.

This extension provides 98 items of audio visual equipment for purchase by sites throughout the District on an as-needed basis. Of the 98 items provided, 41 items remained at the same price, 16 items decreased in price, and 41 items increased in price, due to new model offerings. Supporting documentation is on file related to the manufacturer's price increases. Annual expenditures under these contracts are limited to \$300,000, funded by various sources, which may include, but are not limited to, gift funds, grant funds, and the general fund.

*CUSD Strategic Plan Pillar 5: Effective Operations*

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

**12. EXTENSION OF BID NO. 1112-07, PIZZA SERVICE – DOMINO'S PIZZA:**

Page 151  
**EXHIBIT 12**

Approval of extension of Bid No. 1112-07 for pizza service provided by Domino's Pizza. This contract provides competitive, set pricing for pre-baked, ready-to-serve, and freshly-prepared-pizza service delivered daily to all middle schools. The vendor agreed to maintain the same pricing even though they have experienced increases in the cost of staples such as wheat, flour, and dairy products. Annual expenditures under this agreement are limited to \$450,000, funded by Food and Nutrition Services.

*CUSD Strategic Plan Pillar 5: Effective Operations*

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

**13. ADVERTISE RFP NO. 4-1213, SNACK AND BEVERAGE VENDING SERVICES:**

Page 159  
**EXHIBIT 13**

Approval to advertise for proposals for snack and beverage vending services for sites throughout the District. The current contract for vending services expires August 31, 2012. This request for proposal will provide a competitive process to solicit a vendor that will best meet the District's needs. This contract provides a commission payment to the District for products sold. The estimated annual income related to this contract is \$68,400, shared by all sites participating in the vending program.

*CUSD Strategic Plan Pillar 5: Effective Operations*

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

**14. AMENDED AND RESTATED JOINT FACILITIES USE AGREEMENT FOR CROWN VALLEY ELEMENTARY SCHOOL:**

Approval of the Amended and Restated Joint Facilities Use Agreement for Crown Valley Elementary School. The City of Laguna Niguel is requesting approval to allow the conversion of two tennis courts to a Pickleball configuration, a shortened racquet-ball sport more suitable for children and seniors. A local recreational group made the original request to the City of Laguna Niguel, and the city is now requesting the court conversion be included into the existing joint use agreement. The proposed amendment has been approved by the City of Laguna Niguel, and all expenditures associated with this conversion will be paid by the city.

*CUSD Strategic Plan Pillar 5: Effective Operations*

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

**15. NEWPORT-MESA UNIFIED SCHOOL DISTRICT BID NO. 109-12 OFFICE & SCHOOL SUPPLIES AND EQUIPMENT DISTRICTWIDE – OFFICE DEPOT:**

Approval to utilize Newport-Mesa Unified School District Bid No. 109-12 Office & School Supplies and Equipment for the purchase of office supplies and equipment from Office Depot, as needed, under the same terms and conditions of the public agency's contract. This contract provides competitive set pricing for office supplies and equipment, as needed, throughout the District. Anticipated annual expenditures utilizing this contract are approximately \$100,000. Funding for these expenditures may include, but are not limited to, site funds, gift funds, and the general fund.

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 District's Board Agendas and Supporting Documentation page.

*CUSD Strategic Plan Pillar 5: Effective Operations*

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

**PERSONNEL SERVICES**

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

Approval of the activity list for employment, separation, and additional assignments of classified employees. These positions will be charged to the appropriate fund and are included in the adopted budget.

*CUSD Strategic Plan Pillar 5: Effective Operations*

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

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

Approval of the activity list for employment, separation, and additional assignments of certificated employees. These positions will be charged to the appropriate fund and are included in the adopted budget.

*CUSD Strategic Plan Pillar 5: Effective Operations*

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

**18. 2011-2012 QUARTERLY REPORT, WILLIAMS SETTLEMENT UNIFORM COMPLAINT:**

Page 233  
**EXHIBIT 18**

Acceptance of the Williams Settlement Fourth 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**

**19. DECLARATION OF NEED FOR FULLY QUALIFIED EDUCATORS:**

Page 235  
**EXHIBIT 19**

Approval of the *Declaration of Need for Fully Qualified Educators*. Education Code §80026 requires that a *Declaration of Need for Fully Qualified Educators* be on file with the appropriate County Office of Education before the beginning of a new school year and shall remain in force until the end of that academic year. (A *Declaration of Need* is necessary if there is an insufficient number of qualified applicants.) Submission of this declaration does not commit the District to issuing short term staff permits or emergency credentials, but rather is submitted as a matter of routine in the event it becomes necessary to employ such individuals.

Based on past and current trends, the 2012-2013 *Declaration of Need for Fully Qualified Educators* enables the District to request special teaching permits in hard-to-fill areas such as Special Education (Deaf and Hard of Hearing, Moderate/Severe, Pre-School), and single subjects (Spanish, Physics, Chemistry). This year, there continues to be a need for CLAD/EL Authorizations as the District completes full implementation of its Comprehensive EL Authorization Plan.

A *Declaration of Need for Fully Qualified Educators* must be filed prior to the beginning of the school year, even though there is no way to determine if there will be a need to employ teachers. However, if the Board of Trustees has not approved the appropriate declaration for the upcoming year, the District is precluded from hiring such individuals should the need arise. There is no financial impact.

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

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

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

ROLL CALL:

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

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

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

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

**NOTE: BY USING A ROLL CALL VOTE FOR THE CONSENT CALENDAR, IT WILL MEET THE NEED FOR ACTION ITEMS WHICH REQUIRE A SIMPLE MOTION OR ROLL CALL VOTE.**

**ADJOURNMENT**

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

**THE NEXT REGULAR MEETING OF THE BOARD OF TRUSTEES IS WEDNESDAY, JULY 25, 2012, 7:00 P.M. AT THE CAPISTRANO UNIFIED SCHOOL DISTRICT OFFICE BOARD ROOM, 33122 VALLE ROAD, SAN JUAN CAPISTRANO, CALIFORNIA**

For information regarding Capistrano Unified School District, please visit our website:  
[www.capousd.org](http://www.capousd.org)

## INSTRUCTIONS FOR PRESENTATIONS TO THE BOARD BY PARENTS AND CITIZENS PRESENT AT THIS MEETING

We are pleased you can be with us at this meeting, and we hope you will return often. Your visit assures us of continuing community interest in our schools.

The members of the Board of Trustees of this District are locally elected state officials, who serve four-year terms of office, and who are responsible for the educational program of our community from grades kindergarten through twelve. They are required to conduct programs of the schools in accordance with the State of California Constitution, the State Education Code, and other laws relating to schools enacted by the Legislature, and policies and procedures which this Board adopts.

The Board is a policy-making body whose actions are guided by the school district's Mission and Goals. Administration of the District is delegated to a professional administrative staff headed by the Superintendent.

The agenda and its extensive background material are studied by each member of the Board for at least two days preceding the meeting. Board Members can call the administrative staff for clarification on any item, and many of the items on the agenda were discussed by the Board during previous meetings. These procedures enable the Board to act more effectively on agenda items than would otherwise be possible.

### WHAT TO DO IF YOU WISH TO ADDRESS THE BOARD OF TRUSTEES

**ITEMS ON THE AGENDA.** Any person may address the Board concerning any item on the agenda and may, at the discretion of the Board, be granted three (3) minutes to make a presentation to the Board at the time a specific item is under discussion. However, the time assigned for individual presentations could be fewer than three (3) minutes depending upon the total number of speakers who wish to address a specific agenda topic. Prior to the opening of the meeting, a Request to Address the Board card (located in the foyer) should be completed and submitted to the Secretary of the Board. The total time devoted to presentations to the Board shall not exceed twenty (20) minutes, unless additional time is granted by the Board. All presentations shall be heard by the Board prior to the formal discussion of the agenda topic under consideration. Once an agenda item has been opened for public comment, no additional "Request to Address the Board of Trustees" cards shall be accepted for that topic.

**ORAL COMMUNICATIONS (Non-Agenda Items).** Citizens may address the Board on any item not appearing on the agenda. Individual presentations are limited to three (3) minutes per individual, with twenty (20) minutes in total being devoted for this purpose, but could be less if there are a large number of Oral Communication speakers. Legally, the Board may not take action on items raised by speakers under Oral Communications. However, at its discretion, the Board may refer items to the administration for follow-up or place topics on a future Board agenda.

**PUBLIC HEARINGS.** Anytime the Board schedules a separate public hearing on any given topic, it shall not hear speakers on that topic before the public hearing, except as to the scheduling of the hearing, nor shall it hear speakers after the hearing, except as to changes in the policy or recommended actions which are directed at the time of the hearing.

**CLOSED SESSION.** In accordance with Education Code §35146 and Government Code §54957, the Board may recess to Closed Session to discuss personnel matters which they consider inadvisable to take up in a public meeting.

#### REASONABLE ACCOMMODATION

*In order to help ensure participation in the meeting of disabled individuals, appropriate disability-related accommodations or modifications shall be provided by the Board, upon request, in accordance with the Americans with Disabilities Act (ADA). Persons with a disability who require a disability-related accommodation or modification, including auxiliary aids and services in order to participate in a Board meeting, shall contact the Superintendent or designee in writing by noon on the Friday before the scheduled meeting. Such notification shall provide school district personnel time to make reasonable arrangements to assure accessibility to the meeting.*