

CAPISTRANO UNIFIED SCHOOL DISTRICT
BOARD OF TRUSTEES
MINUTES – REGULAR MEETING
JANUARY 23, 2013
EDUCATION CENTER – BOARD ROOM

President Alpay called the meeting to order at 6:00 p.m. The Board recessed to closed session to: confer with Legal Counsel regarding Anticipated Litigation; confer with Real Property Negotiators; and discuss Student Expulsions.

Closed session recessed at 6:35 p.m.

The regular meeting of the Board reconvened to open session and was called to order by President Alpay at 7:00 p.m.

The Pledge of Allegiance was led by Viejo Elementary School Principal Doug Kramer.

Present: Trustees Alpay, Bryson, Hanacek, Hatton, Pritchard, Reardon, and Student Advisor Madison Wolfert

Absent: Trustee Addonizio

A CD of the Board meeting discussion related to each of the items on the public agenda is on file in the Superintendent's office as a matter of the permanent record. An audio recording of the meeting is available on the District website: www.capousd.org

Permanent Record

It was moved by Trustee Bryson, seconded by Trustee Hatton, and motion carried by a 6-0 vote to adopt the Board agenda.

Adoption of the Board Agenda

ROLL CALL: AYES: Trustees Alpay, Bryson, Hanacek, Hatton, Pritchard, Reardon, and Student Advisor Madison Wolfert
NOES: None
ABSENT: Trustee Addonizio
ABSTAIN: None

President Alpay reported the following action taken during closed session:

President's Report From Closed Session Meeting

Agenda Item #3A – Conference with Legal Counsel – Anticipated Litigation:

The Board voted 6-0 to reject the late claim application.

AYES: Trustees Alpay, Bryson, Hanacek, Hatton, Pritchard, and Reardon
NOES: None
ABSENT: Trustee Addonizio
ABSTAIN: None

Agenda Item #3B – Conference with Real Property Negotiators:

No action was taken.

Agenda Item #3C – Student Expulsion:

The Board voted 6-0 to expel the following student by stipulated agreement: Case #2013-030.

AYES: Trustees Alpay, Bryson, Hanacek, Hatton, Pritchard, and Reardon
NOES: None
ABSENT: Trustee Addonizio
ABSTAIN: None

The Orange County Coastkeepers represented by Education Director Briana Madden and Education Coordinator Dyana Pena were recognized for supporting STEM education through sponsoring watershed education fieldtrips for students at Carl Hankey and Shorecliffs middle schools.

**Special
Recognitions**

Trustee Hanacek shared how impressed she was during her visit to Serra High School this week and congratulated the school for being recognized as a Model Continuation High School. She also attended the Beach City YMCA luncheon.

**Board and
Superintendent
Comments**

Trustee Bryson encouraged everyone to support the Dana Hills High School South Orange County School of the Arts (SOCSA) by attending their monthly performances on Sunday evenings at the Dana Point Yacht Club.

There were no speakers.

**Oral
Communications**

DISCUSSION/ACTION

Deputy Superintendent Clark Hampton introduced President Lori Raineri of Government Financial Strategies Incorporated who provided a PowerPoint of the final results of the District's refinancing. The presentation included a review of the District's use of General Finance Officers Associations Best Practices, a review of the October presentation regarding refinancing candidates, and savings to the District's budget and taxpayers. *(PowerPoint is posted on the District website: www.capousd.org)*

**COP/Measure A
GO Bonds
Agenda Item 1**

Deputy Superintendent Clark Hampton stated this item will present the 2011-2012 fiscal year Annual Financial Report. Mr. Hampton introduced Royce Townsend from Vavrinek, Tine, Day & Co., LLP to present a summary of the audit report for the year ending June 30, 2012.

**Annual Financial
Report
Agenda Item 2**

Following discussion, it was moved by Trustee Pritchard, seconded by Trustee Bryson, and motion carried by a 6-0 vote to receive the Annual Financial Report for the District for the fiscal year ending June 30, 2012.

AYES: Trustees Alpay, Bryson, Hanacek, Hatton, Pritchard, Reardon,
and Student Advisor Madison Wolfert
NOES: None
ABSENT: Trustee Addonizio
ABSTAIN: None

Deputy Superintendent Clark Hampton provided a PowerPoint presentation based on Governor Brown's 2013-2014 fiscal year budget proposal released on January 10, 2013. Mr. Hampton gave an overview of California school funding, the Governor's proposed budget, and District expectations for the second interim report staff will present to the Board in March. *(PowerPoint is posted on the District website: www.capousd.org)*

**Governor's
January Budget
Proposal
Agenda Item 3**

Assistant Superintendent Julie Hatchel stated Viejo Elementary School offers both a Two-Way Spanish Language Immersion (TWI) track and a traditional English/Structured English Immersion track for students. As the TWI program has grown, enrollment in the non-TWI program has continued to decline, creating challenges for staffing non-TWI classes at Viejo. Students within the Viejo attendance areas enroll in the TWI program in kindergarten and very few choose to enroll in non-TWI classes. Dr. Hatchel stated if Trustees approve Viejo Elementary School as a Two-Way Language Academy, the traditional English/Structured English Immersion track would be phased out beginning with kindergarten in September 2013.

**Viejo E.S. Two-
Way Language
Academy
Agenda Item 4**

Following discussion, it was moved by Trustee Reardon, seconded by Trustee Bryson, and motion carried by a 6-0 vote to approve the conversion of Viejo Elementary School to a Two-Way Language Academy giving staff the flexibility to determine which grades to eliminate.

AYES: Trustees Alpay, Bryson, Hanacek, Hatton, Pritchard, Reardon,
and Student Advisor Madison Wolfert
NOES: None
ABSENT: Trustee Addonizio
ABSTAIN: None

Deputy Superintendent Clark Hampton stated there is a need for more space for students to eat lunch at Capistrano Valley High School. In the 2008 Master Plan, WLC Architects, Incorporated proposed an outdoor courtyard to provide additional communal lunch space. With the current construction of the performing arts center there is an opportunity to construct three large lunch pavilions that will accommodate both school lunch and performing arts center evening events. Current estimates for design, construction, DSA approval, and other soft costs are approximately \$1.4 million, funded from CFD 87-1.

**CVHS Lunch Pavilion
Agenda Item 5**

The following speakers addressed the Board:

- Kim Horner, Jane Shafron, Barbara Arthur, and Barbara Casserly spoke regarding the health and safety issues students face due to the lack of a lunch area and asked the Board to vote in favor of the lunch pavilion.

Following discussion, it was moved by Trustee Pritchard, seconded by Trustee Hatton, and motion carried by a 6-0 vote to approve staff to advertise for bid for the Capistrano Valley High School's lunch pavilion.

AYES: Trustees Alpay, Bryson, Hanacek, Hatton, Pritchard, Reardon,
and Student Advisor Madison Wolfert
NOES: None
ABSENT: Trustee Addonizio
ABSTAIN: None

President Alpay explained this item was requested by Trustee Addonizio and suggested due to her absence the Board consider continuing the item. It was moved by Trustee Reardon, seconded by Trustee Bryson, and motion carried by a 6-0 vote to continue this item.

**Modifications to Board Meeting
Agenda
Agenda Item 6**

AYES: Trustees Alpay, Bryson, Hanacek, Hatton, Pritchard, Reardon,
and Student Advisor Madison Wolfert
NOES: None
ABSENT: Trustee Addonizio
ABSTAIN: None

Assistant Superintendent Julie Hatchel explained the purpose of this new policy is to recognize students who have developed linguistic proficiency and cultural literacy in one or more world languages offered within the District curriculum, in addition to English. This policy will be brought back to the February 13 meeting for a second reading.

**New Board Policy
Agenda Item 7**

Deputy Superintendent Clark Hampton reported the District currently has 25 construction projects with the Division of State Architect (DSA). There are 14 projects in the construction phase or in the paperwork process for DSA to close and certify, 7 projects that were closed without certification, and 4 projects that staff needs to meet with DSA to determine an appropriate course of action to close and certify. Mr. Hampton stated staff will be bringing reports back to the Board as each project is closed with certification.

**DSA Update
Agenda Item 8**

Dr. Farley stated this item was placed on the agenda as directed by Trustees at the January 7, 2013, Board meeting.

**OPA Investigation
Report
Agenda Item 9**

The following speakers addressed the Board:

- Robert Reidel asked Trustees to consider the pros and cons of releasing the report and shared his concern that nothing in the report damages the good will established after Dr. Farley's apology to Oxford Preparatory Academy at the last meeting.

Following discussion, it was moved by Trustee Bryson, seconded by Trustee Hatton, and motion carried by a 6-0 vote to approve releasing the confidential report concerning testing procedures at Oxford Preparatory Academy after staff has redacted the names of the persons interviewed during the investigation.

AYES: Trustees Alpay, Bryson, Hanacek, Hatton, Pritchard, Reardon,
and Student Advisor Madison Wolfert
NOES: None
ABSENT: Trustee Addonizio
ABSTAIN: None

President Alpay asked Trustees for items they wished to pull from the Consent Calendar. Item #15, #19, and #28 were pulled.

**Items Pulled from
the Consent
Calendar**

CONSENT CALENDAR

It was moved by Trustee Hatton, seconded by Trustee Bryson, and motion carried by a 6-0 vote to approve the following Consent Calendar items:

Minutes of the January 7, 2013, regular Board meeting.

**Minutes
Agenda Item 10**

Resolution No. 1213-32, San Clemente KindnesSCounts Program/Blue Ribbon Week.

**San Clemente
KindnesSCounts/
Blue Ribbon Week
Agenda Item 11**

Readmission of students from expulsion: Case #2012-044 and Case #2012-71.

**Expulsion
Readmissions
Agenda Item 12**

Proposed 2013 Extended School Year Program.

**ESY Proposal
Agenda Item 13**

Memorandum of Understanding with Robotics Education and Competition Foundation.

**Robotics Education
& Competition
Foundation MOU
Agenda Item 14**

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| Unpaid Internship Agreement with Liberty University. | Liberty University Intern Agreement Agenda Item 16 |
| Purchase orders, warrants, and previously Board-approved bids and contracts as listed. | Purchase Orders/Warrants Agenda Item 17 |
| Donation of equipment. | Donations Agenda Item 18 |
| Denial of Government Claim Number 12-08579. | Government Claim Agenda Item 20 |
| Personnel Reimbursement Agreement with Saddleback Valley Unified School District. | Personnel Reimbursement Agreement Agenda Item 21 |
| Ratification of Change Order No. 15 related to the construction of the Capistrano Valley High School Performing Arts Center. | Change Order #15 CVHS Performing Arts Center Agenda Item 22 |
| Revised Joint Exercise of Powers Agreement with the K-12 Public Schools and Community Colleges Facility Authority. | Revised Joint Powers Agreement Agenda Item 23 |
| Approval of Amendment to Rental Service Agreement No. 1112046 with Capo Beach Calvary to provide one additional parking space at the District's bus facility for Capo Beach Calvary to use, as needed, for a fee of \$75 per bus per month. | Rental Service Agreement Amendment Agenda Item 24 |
| Approval to utilize the San Diego Unified School District Bid No. GD-13-0006-64 to purchase custodial and janitorial products from Waxie Sanitary Supply under the same terms and conditions of the public agency's contract. | Piggyback Bid – Janitorial Products Agenda Item 25 |
| Approval of authorization to utilize the State of California Multiple Award Schedule Contract No. 3-12-70-2070E, General Services Administration schedule GS-35F-0563U to purchase Cisco products and service from Digital Networks Group, Incorporated under the same terms and conditions of the public agency's contract. | Piggyback Bid – Cisco Products Agenda Item 26 |
| Resignations, retirements, and employment of classified personnel. | Resignations/ Retirements/ Employment (Classified Personnel) Agenda Item 27 |
| Clinical Practicum Agreement, for speech language pathology assistants, with California State University, Northridge. | Clinical Practicum Agreement Agenda Item 29 |

ROLL CALL: AYES: Trustees Alpay, Bryson, Hanacek, Hatton, Pritchard, Reardon, and Student Advisor Madison Wolfert
NOES: None
ABSENT: Trustee Addonizio
ABSTAIN: None

President Alpay recognized the following speaker to address the Board:

**Brandman
University MOU
Agenda Item 15**

- Christine Zeppos, Dean of Education at Brandman University, thanked the Board for the partnership opportunity to support the District's programs.

It was moved by Trustee Hatton, seconded by Trustee Bryson, and motion carried by a 6-0 vote to approve the Memorandum of Understanding with Brandman University.

AYES: Trustees Alpay, Bryson, Hanacek, Hatton, Pritchard, Reardon, and Student Advisor Madison Wolfert
NOES: None
ABSENT: Trustee Addonizio
ABSTAIN: None

Trustee Bryson questioned the item's description which states, "California school budgets have been cut 25 percent over the last four years," as she thought the percentage was higher. Deputy Superintendent Clark Hampton responded the deficit factor plus the cuts in categorical funding equals approximately 25 percent.

**Professional
Services
Agreements
Agenda Item 19**

It was moved by Trustee Bryson, seconded by Trustee Hatton, and motion carried by a 6-0 vote to ratify District standardized Independent Contractor, Master Contract, and Professional Services Agreements.

AYES: Trustees Alpay, Bryson, Hanacek, Hatton, Pritchard, Reardon, and Student Advisor Madison Wolfert
NOES: None
ABSENT: Trustee Addonizio
ABSTAIN: None

Trustee Reardon asked staff to explain what a 6/5th assignment is. Assistant Superintendent Jodee Brentlinger stated secondary teachers teach five out of six periods but when master schedules are built a school may need a teacher for a specific classes, such as physics, algebra, geography, world history, and Spanish, and it would not be possible to find one teacher credentialed for all these areas, so teachers are offered an additional period in lieu of a preparatory period. Trustee Reardon commented that the Board needs to pay more attention to the total amount of money it is approving for additional assignments each month on the activity list.

**Resignations/
Retirements/
Employment
(Certificated
Personnel)
Agenda Item 28**

It was moved by Trustee Reardon, seconded by Trustee Bryson, and motion carried by a 6-0 vote to approve the resignations, retirements, and employment of certificated personnel.

AYES: Trustees Alpay, Bryson, Hanacek, Hatton, Pritchard, Reardon, and Student Advisor Madison Wolfert
NOES: None
ABSENT: Trustee Addonizio
ABSTAIN: None

It was moved by Trustee Hatton, seconded by Trustee Bryson, and motion carried by a 6-0 vote to adjourn the meeting.

Adjournment

AYES: Trustees Alpay, Bryson, Hanacek, Hatton, Pritchard, Reardon,
and Student Advisor Madison Wolfert

NOES: None

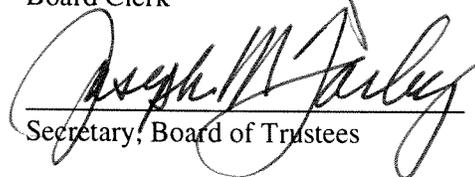
ABSENT: Trustee Addonizio

ABSTAIN: None

President Alpay announced the meeting adjourned at 9:34 p.m.



Board Clerk



Secretary, Board of Trustees

Minutes submitted by Jane Boos, Manager, Board Office Operations