

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

REVISED
8-17-12

BOARD OF TRUSTEES
Regular Meeting

August 20, 2012

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

AGENDA

CLOSED SESSION AT 6:00 P.M.

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

- A. **CONFERENCE WITH REAL PROPERTY NEGOTIATORS**
Dr. Joseph M. Farley/Clark Hampton/Attorney Wendy Wiles
to provide direction on possible sale and terms for District property at:
2 Liberty, Aliso Viejo, CA 92656
(Pursuant to Government Code §54956.8)

EXHIBITS 3A

- B. ~~**PUBLIC EMPLOYEE APPOINTMENT/EMPLOYMENT**~~
~~Manager, Transportation Services~~
(Pursuant to Government Code §54957)

EXHIBIT 3B
Pulled on 8/17/12

- C. **PUBLIC EMPLOYEE PERFORMANCE EVALUATION**
Superintendent
(Pursuant to Government Code §54957)

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

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.

DISCUSSION/ACTION ITEMS

1. UPDATE ON CALIFORNIA PREPARATORY ACADEMY:

On April 11, 2011, the Board of Trustees was updated regarding the current status of the new District independent study high school, California Preparatory Academy. Since that time significant progress has been made in regards to the school's opening in fall of 2012. Staff will update the Board of Trustees regarding progress in the following areas: student enrollment and demographic information, pilot information and statistics, a refined program description and implementation plan, and a live demonstration of the synchronous technology.

CUSD Strategic Plan Pillar 3: Academic Achievement and Enrichment

Contact: Julie Hatchel, Assistant Superintendent, Education Services

INFORMATION/
DISCUSSION
Page 1
EXHIBIT 1

Staff Recommendation

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

2. RESOLUTION NO. 1213-13, FINAL RESOLUTION REGARDING GRIEVANCE FILED BY CSEA ON BEHALF OF CLASSIFIED EMPLOYEES:

The collective bargaining agreement between the District and CSEA, Chapter 224 outlines a process in Article 4 when a classified employee or the Association believes there has been a misinterpretation, a misapplication, or a violation of the specific provisions of the contract. If an employee or the Association is not satisfied with the decision at Level III of the process, and mediation has not provided resolution, the employee or Association may request an appeal through arbitration. CSEA requested to appeal grievances on behalf of five employees surrounding Articles 3.7.1, 12.2, and 12.3 of the collective bargaining agreement. The matter was heard by a state appointed arbitrator on February 23 and 24, 2012. In summary, both parties presented their positions, provided testimony and documentary evidence to support their positions, and submitted closing statements.

DISCUSSION/
ACTION
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EXHIBIT 2

On Thursday, July 12, 2012, the District received the decision from the state appointed arbitrator regarding the alleged contract violations. The arbitrator upheld the District's positions that the grievances filed by CSEA were untimely. The arbitrator also substantiated the District had a long standing practice of how it applied Article 3.7.1. Per the collective bargaining agreement, "The arbitrator is to render a recommendation to the Board of Trustees. The Board of Trustees shall seriously consider the recommendation of the advisory arbitrator and shall make a determination on the grievance. Such decision, along with reasons for the decision, shall be communicated to the parties and the action of the Board of Trustees shall be final and binding on all parties."

CUSD Strategic Plan Pillar 5: Effective Operations

Contact: Jodee Brentlinger, Assistant Superintendent, Personnel Services

Staff Recommendation:

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

Following discussion, it is recommended the Board of Trustees approve Resolution No. 1213-13, Final Resolution Regarding Grievance Filed by CSEA on Behalf of Classified Employees for the reasons cited in the arbitrator's decision.

Motion by _____	Seconded by _____
ROLL CALL:	
Trustee Addonizio _____	Trustee Bryson _____
Trustee Alpay _____	Trustee Hatton _____
Trustee Brick _____	Trustee Palazzo _____
	Trustee Pritchard _____

3. RESOLUTION NO. 1213-14, CLASSIFIED LAYOFF NON-MANAGEMENT EMPLOYEES:

On June 27, 2012, the District adopted its 2012-2013 operating budget which included \$51 million in reductions. That figure will drop if the governor's tax initiative to support schools passes in November 2012. On April 25, 2012, the Board approved classified layoff Resolution No. 1112-39.. Since that time, federal and state programs have been notified funds will be reduced for the upcoming school year. As a result of these additional funding reductions and program modifications following the April 25, 2012, layoff, additional positions in three service areas have been identified for elimination. In accordance with Education Code §45117, 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 agenda item proposes the elimination of positions due to a lack of funds. Classified employees must be given a forty-five (45) 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, to present this item.

Following discussion, it is recommended the Board of Trustees approve Resolution No. 1213-14, Classified Layoff Non-Management Employees, in the designated classifications.

DISCUSSION/
ACTION
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EXHIBIT 3

Motion by _____	Seconded by _____
ROLL CALL:	
Trustee Addonizio _____	Trustee Bryson _____
Trustee Alpay _____	Trustee Hatton _____
Trustee Brick _____	Trustee Palazzo _____
	Trustee Pritchard _____

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

4. **SCHOOL BOARD MINUTES:**
 Approval of the minutes of the July 25, 2012, regular Board meeting.
Contact: Jane Boos, Manager, Board Office Operations

Page 37
EXHIBIT 4

CURRICULUM & INSTRUCTION

5. **EXPUNGING OF EXPULSION RECORD:**
 Approval of expunging a student record. Due to the confidential nature of expunging a student expulsion record, 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
6. **INSTRUCTIONAL MATERIALS RECOMMENDED FOR ADOPTION: HIGH SCHOOL WORLD LANGUAGE – IB SPANISH LANGUAGE:**
 Adoption of *Mañana* published by Advance Materials ©2011. San Clemente High School is requesting the adoption of this title for use with International Baccalaureate (IB) Spanish Language Standard Level in grades 11 and 12. Adoption of *Spanish B Course Companion* published by Oxford University Press ©2011. Capistrano Valley High School is requesting the adoption of this title for use with IB Spanish Standard Level and Higher Level in grades 11 and 12. These titles have been approved by a vote of 11-0 by the Instructional Materials Review Committee. They would be adopted for a seven-year period. Purchases of these titles would be paid with site and/or District funds if available.
CUSD Strategic Plan Pillar 3: Academic Achievement and Enrichment
Contact: Julie Hatchel, Assistant Superintendent, Education Services
7. **INSTRUCTIONAL MATERIALS RECOMMENDED FOR ADOPTION, HIGH SCHOOL WORLD LANGUAGE – AP SPANISH LITERATURE:**
 Adoption of *Azulejo, 2nd edition* published by Wayside Publishing ©2012. Tesoro High School is requesting the adoption of this title for use with Advanced Placement Spanish Literature in grades 9-12. This title has been approved by a vote of 11-0 by the Instructional Materials Review Committee. It would be adopted for a seven-year period. Purchases of this title would be paid with District funds.
CUSD Strategic Plan Pillar 3: Academic Achievement and Enrichment
Contact: Julie Hatchel, Assistant Superintendent, Education Services

8. INSTRUCTIONAL MATERIALS RECOMMENDED FOR ADOPTION, MIDDLE SCHOOL ENGLISH LANGUAGE ARTS – ENGLISH GRADE 6 AND GRADE 8:

Adoption of *The Boy in the Striped Pajamas* written by John Boyne and published by Random House © 2006, *The Face on the Milk Carton* written by Caroline Cooney and published by Random House © 1990, *The Hunger Games* written by Suzanne Collins and published by Scholastic © 2008, *One Crazy Summer* written by Rita Williams-Garcia and published by Scholastic © 2010. Ladera Ranch Middle School is requesting the adoption of the following supplemental reading titles for use with English Language Arts, English in grades 6 and 8 as indicated after each of the following titles: *The Boy in the Striped Pajamas* written by John Boyne and published by Random House © 2006 (Grade 8), *The Face on the Milk Carton* written by Caroline Cooney and published by Random House © 1990 (Grade 8), *The Hunger Games* written by Suzanne Collins and published by Scholastic © 2008 (Grade 8), *One Crazy Summer* written by Rita Williams-Garcia and published by Scholastic © 2010 (Grade 6). These titles have been approved by a vote of 11-0 by the Instructional Materials Review Committee. They would be adopted for a seven-year period. Purchases of these titles would be paid with site funds.

CUSD Strategic Plan Pillar 3: Academic Achievement and Enrichment

Contact: Julie Hatchel, Assistant Superintendent, Education Services

9. INSTRUCTIONAL MATERIALS RECOMMENDED FOR ADOPTION, MIDDLE SCHOOL ENGLISH LANGUAGE ARTS – YEARBOOK:

Adoption of *1 2 3 Student Yearbook Guide* published by Jostens ©2010. Aliso Viejo Middle School is requesting the adoption of this title for use with the English Language Arts, Yearbook course elective in grades 7 and 8. This title has been approved by a vote of 11-0 by the Instructional Materials Review Committee. It would be adopted for a seven-year period. Purchases of this title would be paid with site funds.

CUSD Strategic Plan Pillar 3: Academic Achievement and Enrichment

Contact: Julie Hatchel, Assistant Superintendent, Education Services

10. INSTRUCTIONAL MATERIALS RECOMMENDED FOR ADOPTION, HIGH SCHOOL FINE ARTS – DIGITAL PHOTOGRAPHY:

Adoption of *Focus on Photography* written by Hermon Joyner and Kathleen Monaghan published by Davis Publications ©2007. Capistrano Valley High School is requesting the adoption of this title for use with Digital Photography in grades 9-12. This title has been approved by a vote of 11-0 by the Instructional Materials Review Committee. It would be adopted for a seven-year period. Purchases of this title would be paid with site and/or District funds if available.

CUSD Strategic Plan Pillar 3: Academic Achievement and Enrichment

Contact: Julie Hatchel, Assistant Superintendent, Education Services

11. CONSOLIDATED APPLICATION AND REPORTING SYSTEM:

Approval of the July 31, 2012, Consolidated Application and Reporting System Data Collections. The Consolidated Application is used by the California Department of Education (CDE) to distribute categorical funds from various state and federal programs to county offices, school districts, and direct-funded charter schools throughout California. In June of each year, each local educational agency submits the Spring release of the application to document participation in these programs and provide assurances the District will comply with the legal requirements of each program. Program entitlements are determined by formulas contained in the laws that created the programs. The complete Consolidated Application is on file for review in the State and Federal Programs office. As required by CDE, the Consolidated Application will be submitted for review and approval to the District English Learner Advisory Committee.

CUSD Strategic Plan Pillar 3: Academic Achievement and Enrichment

Contact: Julie Hatchel, Assistant Superintendent, Education Services

12. CHOC CHILDREN'S BREATHMOBILE PROGRAM MEMORANDUM OF UNDERSTANDING:

Page 43
EXHIBIT 12

Approval of the CHOC Children's Breathmobile Program Memorandum of Understanding (MOU). This item presents an MOU for the CHOC Children's Breathmobile Program to continue to improve access to comprehensive, specialized asthma care to underserved children within the District.

CUSD Strategic Plan Pillar 2: Safe and Healthy Schools

Contact: Julie Hatchel, Assistant Superintendent, Education Services

13. WESTERN DIGITAL FOUNDATION GRANT – PUTTING THE E IN STEM: ENGINEERING IS ELEMENTARY:

Page 61
EXHIBIT 13

Approval of the Western Digital Foundation grant award of \$5,877 for the Putting the E in STEM: Engineering is Elementary program. Funding will be used to provide classroom teachers at Castille, Chaparral, Don Juan Avila, and Marblehead elementary schools with material resources and support to incorporate engineering into the curriculum. Students will engage in hands-on experiences as they develop an understanding of the design process in various types of engineering designing bridges, machines, pollinators, windmills, alarm circuits, solar ovens, and submersibles.

CUSD Strategic Plan Pillar 3: Academic Achievement and Enrichment

Contact: Julie Hatchel, Assistant Superintendent, Education Services

BUSINESS & SUPPORT SERVICES

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

Page 67
EXHIBIT 14

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 \$32,585,889.48; the commercial warrants total \$8,240,047.57. 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

15. INDEPENDENT CONTRACTOR, MASTER CONTRACT, AND PROFESSIONAL SERVICES AGREEMENTS:

Page 121
EXHIBIT 15

Approval and ratification 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 \$618,576.53.

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 2: Safe & Healthy Schools

CUSD Strategic Plan Pillar 3: Academic Achievement & Enrichment

CUSD Strategic Plan Pillar 5: Effective Operations

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

16. SPECIAL EDUCATION INFORMAL DISPUTE RESOLUTION AGREEMENT:

Approval of the ratification of special education Informal Dispute Resolution agreement case #070312. Due to the confidential nature of the agreement, supporting information is provided to Trustees under separate cover. There is no financial impact.

CUSD Strategic Plan Pillar 3: Academic Achievement & Enrichment

Contact: Sara Jocham, Assistant Superintendent, SELPA and Special Education Operations

17. SPECIAL EDUCATION FINANCIAL OBLIGATION AGREEMENT:

Approval of the Financial Obligation Agreement between the District and the Orange County Department of Education in connection with special education settlement agreement #2012020831. Due to the confidential nature of the agreement, supporting information is provided to Trustees under separate cover.

CUSD Strategic Plan Pillar 5: Effective Operations

Contact: Sara Jocham, Assistant Superintendent, SELPA and Special Education Operations

18. AGREEMENT BETWEEN THE DISTRICT AND ORANGE COUNTY HEALTH CARE AGENCY FOR EDUCATIONALLY RELATED MENTAL HEALTH SERVICES:

Approval of the Agreement between the District and Orange County Health Care Agency (OCHCA) will allow OCHCA to provide educationally related mental health services as requested by the District. As a result of the repeal of AB 3632, school districts are responsible for providing services for students with Individual Education Programs (IEPs) formerly provided by OCHCA. During the 2011-2012 school year, OCHCA continued to provide some services based on a state grant awarded for that purpose. OCHCA will not receive the grant for the 2012-2013 school year. The District will receive federal and state funding to provide educationally related mental health services to students with IEPs. District staff is able to provide some of the necessary services and will contract with outside agencies and OCHCA to provide services as requested. Annual expenditures under this agreement are limited to \$1,000,000, paid by special education mental health grant funds.

CUSD Strategic Plan Pillar 3: Academic Achievement & Enrichment

Contact: Sara Jocham, Assistant Superintendent, SELPA and Special Education Operations

19. MEMORANDUM OF UNDERSTANDING BETWEEN THE DISTRICT AND ORANGE COUNTY SUPERINTENDENT OF SCHOOLS:

Approval of the Memorandum of Understanding between the District and the Orange County Superintendent of Schools will allow Orange County Department of Education (OCDE) to conduct special education programs and services for eligible District students July 1, 2012, through June, 30, 2013. The OCDE Division of Special Education Services operates a special schools program for pupils with exceptional needs who require intensive educational services. These students are referred by their Individualized Education Program (IEP) teams when it is jointly determined by the District and OCDE that the student's educational needs, as specified in the IEP, can be appropriately met by OCDE programs and services. Approximately 101 District students are currently enrolled in OCDE programs. There are three cost categories for OCDE programs: classroom cost, transportation cost, and special circumstance aide cost. The average classroom cost per student is \$43,947. Based on current enrollment, the estimated District cost for students attending OCDE classes for the 2012-2013 school year is approximately \$4,440,000. The estimated District cost for transportation provided by OCDE is approximately \$541,000. The estimated District cost for required special circumstance aides in classrooms or on buses is approximately \$1,064,000. Annual expenditures under this agreement are paid by special education funds.

CUSD Strategic Plan Pillar 3: Academic Achievement & Enrichment

Contact: Sara Jocham, Assistant Superintendent, SELPA and Special Education Operations

Page 175
EXHIBIT 18

Page 189
EXHIBIT 19

20. **RESOLUTION NO. 1213-02 AUTHORIZING LEVY OF SPECIAL TAX IN CFD NO. 88-1:** Page 211
EXHIBIT 20
 Approval of Resolution No. 1213-02 authorizing the levy of Special Tax in CFD No. 88-1 (Rancho Santa Margarita) for fiscal year 2012-2013. In order to secure the tax roll for CFD No. 88-1 in fiscal year 2012-2013, the District must notify the County of Orange Auditor/Controller no later than August 21, 2012, or other duly authorized date, with a certified copy of Resolution No. 1213-02, along with a copy of the annual levy of Special Taxes for fiscal year 2012-2013. David Taussig & Associates will deliver the required documents on the District's behalf to the County of Orange.
CUSD Strategic Plan Pillar 5: Effective Operations
Contact: Clark Hampton, Deputy Superintendent, Business and Support Services
21. **RESOLUTION NO. 1213-03 AUTHORIZING LEVY OF SPECIAL TAX IN CFD NO. 90-1:** Page 217
EXHIBIT 21
 Approval of Resolution No. 1213-03 affirming, ratifying, and authorizing the levy of a Special Tax in CFD No. 90-1 (Coto de Caza), for fiscal year 2012-2013. The Special Tax of CFD No. 90-1 is collected by the District prior to issuance of any building permit in CFD No. 90-1; therefore, there is no need to notify the County of Orange Auditor/Controller.
CUSD Strategic Plan Pillar 5: Effective Operations
Contact: Clark Hampton, Deputy Superintendent, Business and Support Services
22. **RESOLUTION NO. 1213-04 AUTHORIZING LEVY OF SPECIAL TAX IN CFD NO. 90-2:** Page 223
EXHIBIT 22
 Approval of Resolution No. 1213-04 authorizing the levy of Special Tax in CFD No. 90-2 (Talega) for fiscal year 2012-2013. In order to secure the tax roll for CFD No. 90-2 in fiscal year 2012-2013, the District must notify the County of Orange Auditor/Controller no later than August 21, 2012, or other duly authorized date, with a certified copy of Resolution No. 1213-04, along with a copy of the annual levy of Special Taxes for fiscal year 2012-2013. David Taussig & Associates will deliver the required documents on the District's behalf to the County of Orange.
CUSD Strategic Plan Pillar 5: Effective Operations
Contact: Clark Hampton, Deputy Superintendent, Business and Support Services
23. **RESOLUTION NO. 1213-05 AUTHORIZING LEVY OF SPECIAL TAX IN IMPROVEMENT AREA NO. 2002-1 OF CFD NO. 90-2:** Page 229
EXHIBIT 23
 Approval of Resolution No. 1213-05 authorizing the levy of a Special Tax in Improvement Area (IA) No. 2002-1 of CFD No. 90-2 (Talega) for fiscal year 2012-2013. In order to secure the tax roll for IA No. 2002-1 of CFD No. 90-2 in fiscal year 2012-2013, the District must notify the County of Orange Auditor/Controller no later than August 21, 2012, or other duly authorized date, with a certified copy of Resolution No. 1213-05, along with a copy of the annual levy of Special Taxes for fiscal year 2012-2013. David Taussig & Associates will deliver the required documents on the District's behalf to the County of Orange.
CUSD Strategic Plan Pillar 5: Effective Operations
Contact: Clark Hampton, Deputy Superintendent, Business and Support Services
24. **RESOLUTION NO. 1213-06 AUTHORIZING THE LEVY OF SPECIAL TAX IN CFD NO. 92-1:** Page 235
EXHIBIT 24
 Approval of Resolution No. 1213-06 authorizing the levy of Special Tax in CFD No. 92-1 (Las Flores) for fiscal year 2012-2013. In order to secure the tax roll for CFD No. 92-1 in fiscal year 2012-2013, the District must notify the County of Orange Auditor/Controller no later than August 21, 2012, or other duly authorized date, with a certified copy of Resolution No. 1213-06, along with a copy of the annual levy of Special Taxes for fiscal year 2012-2013. David Taussig & Associates will deliver the required documents on the District's behalf to the County of Orange.
CUSD Strategic Plan Pillar 5: Effective Operations
Contact: Clark Hampton, Deputy Superintendent, Business and Support Services

25. RESOLUTION NO. 1213-07 AUTHORIZING LEVY OF SPECIAL TAX IN CFD NO. 94-1:

Page 241
EXHIBIT 25

Approval of Resolution No. 1213-07 authorizing the levy of Special Tax in CFD No. 94-1 (Rancho Santa Margarita) for fiscal year 2012-2013. In order to secure the tax roll for CFD No. 94-1 in fiscal year 2012-2013, the District must notify the County of Orange Auditor/Controller no later than August 21, 2012, or other duly authorized date, with a certified copy of Resolution No. 1213-07, along with a copy of the annual levy of Special Taxes for fiscal year 2012-2013. David Taussig & Associates will deliver the required documents on the District's behalf to the County of Orange.

CUSD Strategic Plan Pillar 5: Effective Operations

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

26. RESOLUTION NO. 1213-08 AUTHORIZING LEVY OF SPECIAL TAX IN CFD NO. 98-1A:

Page 247
EXHIBIT 26

Approval of Resolution No. 1213-08 authorizing the levy of Special Tax in CFD No. 98-1A (Pacifica San Juan) for fiscal year 2012-2013. Such Special Taxes were levied, in prior fiscal years, on a partial basis, and for fiscal year 2012-2013, are levied on a partial basis at less than the "Assigned Special Tax" for CFD No. 98-1A. As in prior fiscal years, this is not a precedent for future fiscal years, as to do so would be contrary to contracts previously entered into with the applicable property owner. In order to secure the tax roll for CFD No. 98-1A in fiscal year 2012-2013, the District must notify the County of Orange Auditor/Controller no later than August 21, 2012, or other duly authorized date, with a certified copy of Resolution No. 1213-08, along with a copy of the annual levy of Special Taxes for fiscal year 2012-2013. David Taussig & Associates will deliver the required documents on the District's behalf to the County of Orange.

CUSD Strategic Plan Pillar 5: Effective Operations

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

27. RESOLUTION NO. 1213-09 AUTHORIZING LEVY OF SPECIAL TAX IN CFD NO. 98-2:

Page 253
EXHIBIT 27

Approval of Resolution No. 1213-09 authorizing the levy of Special Tax in CFD No. 98-2 (Ladera) for fiscal year 2012-2013. In order to secure the tax roll for CFD No. 98-2 in fiscal year 2012-2013, the District must notify the County of Orange Auditor/Controller no later than August 21, 2012, or other duly authorized date, with a certified copy of Resolution No. 1213-09, along with a copy of the annual levy of Special Taxes for fiscal year 2012-2013. David Taussig & Associates will deliver the required documents on the District's behalf to the County of Orange.

CUSD Strategic Plan Pillar 5: Effective Operations

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

28. RESOLUTION NO. 1213-10 AUTHORIZING LEVY OF SPECIAL TAX IN CFD NO. 2004-1:

Page 259
EXHIBIT 28

Approval of Resolution No. 1213-10 authorizing the levy of Special Tax in CFD No. 2004-1 (Rancho Madrina) for fiscal year 2012-2013. In order to secure the tax roll for CFD No. 2004-1 in fiscal year 2012-2013, the District must notify the County of Orange Auditor/Controller no later than August 21, 2012, or other duly authorized date, with a certified copy of Resolution No. 1213-10, along with a copy of the annual levy of Special Taxes for fiscal year 2012-2013. David Taussig & Associates will deliver the required documents on the District's behalf to the County of Orange.

CUSD Strategic Plan Pillar 5: Effective Operations

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

29. **RESOLUTION NO. 1213-11 AUTHORIZING LEVY OF SPECIAL TAX IN CFD NO. 2005-1:** Page 265
EXHIBIT 29
 Approval of Resolution No. 1213-11 authorizing the levy of Special Tax in CFD No. 2005-1 (Whispering Hills) for fiscal year 2012-2013. In order to secure the tax roll for CFD No. 2005-1 in fiscal year 2012-2013, the District must notify the County of Orange Auditor/Controller no later than August 21, 2012, or other duly authorized date, with a certified copy of Resolution No. 1213-11, along with a copy of the annual levy of Special Taxes for fiscal year 2012-2013. David Taussig & Associates will deliver the required documents on the District's behalf to the County of Orange.
CUSD Strategic Plan Pillar 5: Effective Operations
Contact: Clark Hampton, Deputy Superintendent, Business and Support Services
30. **RESOLUTION NO. 1213-12 AUTHORIZING THE LEVY OF SPECIAL TAX IN CFD NO. 87-1:** Page 271
EXHIBIT 30
 Approval of Resolution No. 1213-12 authorizing the levy of Special Tax in CFD No. 87-1 (Mission Viejo/Aliso Viejo) for fiscal year 2012-2013. In order to secure the tax roll for CFD No. 87-1 in fiscal year 2012-2013, the District must notify the County of Orange Auditor/Controller no later than August 21, 2012, or other duly authorized date, with a certified copy of Resolution No. 1213-12, along with a copy of the annual levy of Special Taxes for fiscal year 2012-2013. David Taussig & Associates will deliver the required documents on the District's behalf to the County of Orange.
CUSD Strategic Plan Pillar 5: Effective Operations
Contact: Clark Hampton, Deputy Superintendent, Business and Support Services
31. **AMENDMENT TO CONSULTANT AGREEMENT, HARBOTTLE LAW GROUP:** Page 277
EXHIBIT 31
 Approval of amendment to Consultant Agreement No. C0910101 with Harbottle Law Group for general legal services as required by the District. The District has requested in-house services as outlined in the retainer agreement. The amendment also includes a new negotiated fee structure and new contract end date of June 30, 2013. Services under this contract are limited to \$150,000 funded by special education funds.
CUSD Strategic Plan Pillar 5: Effective Operations
Contact: Clark Hampton, Deputy Superintendent, Business and Support Services
32. **AGREEMENT FOR PARTICIPATION – INSIDE THE OUTDOORS SCHOOL PROGRAM BETWEEN ORANGE COUNTY SUPERINTENDENT OF SCHOOLS:** Page 293
EXHIBIT 32
 Approval of Agreement for Participation – Inside the Outdoors School Program No. 50057 with the Orange County Superintendent of Schools to provide the Traveling Scientist Programs to various schools as requested by the District. There is no general fund financial impact associated with this item. Costs will be paid from site funds or locally generated revenue.
CUSD Strategic Plan Pillar 3: Academic Achievement and Enrichment
Contact: Clark Hampton, Deputy Superintendent, Business and Support Services
33. **AGREEMENT FOR PARTICIPATION – INSIDE THE OUTDOORS FIELD PROGRAM BETWEEN ORANGE COUNTY SUPERINTENDENT OF SCHOOLS:** Page 303
EXHIBIT 33
 Approval of Agreement for Participation – Inside the Outdoors Field Program No. 50070 with the Orange County Superintendent of Schools to provide field trips for various schools as requested by the District. There is no general fund financial impact associated with this item. Costs will be paid from site funds or locally generated revenue.
CUSD Strategic Plan Pillar 3: Academic Achievement and Enrichment
Contact: Clark Hampton, Deputy Superintendent, Business and Support Services

34. AGREEMENT FOR USE OF RESIDENT OUTDOOR SCIENCE SCHOOL FACILITIES, SUPPLIES, EQUIPMENT, AND SERVICES BETWEEN ORANGE COUNTY SUPERINTENDENT OF SCHOOLS:

Page 315
EXHIBIT 34

Approval of Agreement for Use of Resident Outdoor Science School Facilities, Supplies, Equipment, and Services No. 50003 with the Orange County Superintendent of Schools to provide the Outdoor Science School Program for various schools as requested by the District. There is no general fund financial impact associated with this item. Costs will be paid from site funds or locally generated revenue.

CUSD Strategic Plan Pillar 3: Academic Achievement and Enrichment

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

35. LIMITED USE LICENSE AGREEMENT BETWEEN CAPISTRANO UNIFIED SCHOOL DISTRICT AND SAMLARC FOR USE OF TIJERAS CREEK PARK:

Page 339
EXHIBIT 35

Approval of the renewal of the Limited Use License Agreement between the District and Rancho Santa Margarita Landscape and Recreation Corporation (SAMLARC) for student use of Tijeras Creek Park. Tijeras Creek Elementary School is located adjacent to Tijeras Creek Park in the City of Rancho Santa Margarita. The park is owned and maintained by SAMLARC, a non-profit homeowners association. Since the school opened in 2000, students from Tijeras Creek Elementary School have been using the adjacent park for various activities, operating under a limited use license agreement. The additional space benefits the students with greater recreational and physical education opportunities.

The Limited Use License Agreement was developed to provide general provisions defining each agency's responsibilities. Terms of the agreement include a defined amount of student use of the park for the upcoming school year for a fee of \$5,000. SAMLARC will be responsible for all ongoing maintenance of the park. The original Limited Use License Agreement was reviewed and approved by District and SAMLARC legal counsels.

CUSD Strategic Plan Pillar 5: Effective Operations

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

36. STATE OF CALIFORNIA MULTIPLE AWARD SCHEDULE (CMAS) CONTRACT NO. 4-11-03-0492A, GENERAL SERVICES ADMINISTRATION SCHEDULE NO. GS-07F-0509W, NON INFORMATION TECHNOLOGY GOODS, SECTORPOINT, INCORPORATED:

Approval of authorization to utilize the State of California Multiple Award Schedule Contract No. 4-11-03-0492A, General Services Administration schedule GS-07F-0509W, to obtain the right to utilize software, receive technical support services, and software upgrades related to the installation, maintenance, and use of the facility use permit processing software, Civic Permits, from SectorPoint, Incorporated under the same terms and conditions of the public agency's contract. The District can utilize such contracts pursuant to California Public Contract Code §10298, §10299 and §12100 et. seq. without going to bid. District staff has determined the prices offered by SectorPoint, Incorporated are fair, reasonable, competitive, and it is in the best interest of the District to utilize the contract. Features of this software include registration, permit application and processing, invoicing, and payment collection. This upgraded system will cost approximately \$13,000 - \$15,000 annually, funded by fees collected from facilities usage.

Due to the size of the contract and award, the documentation 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

37. AWARD RFP NO. 4-1213, SNACK & BEVERAGE VENDING SERVICES, VENDING + PLUS:

Approval of the award of RFQ No. 4-1213, Snack & Beverage Vending Services, to Vending + Plus. On July 9, 2012, the Board of Trustees authorized staff to solicit proposals for snack and beverage vending services. The District received seven proposals. The proposals were evaluated by staff based on the selection criteria and adherence to submittal requirements. Vending + Plus was selected to remain the District's service provider based on the evaluation of the vendor's qualifications, years of experience, competence in relative experience, and commission percentage. Vending + Plus has a proven track record of providing quality snack vending services. Under the new contract Vending + Plus will provide both snack and beverage vending services at District set vending rates. The vendor offered a five-year pricing structure with increased commission percentage annually. The estimated first-year income related to this contract is \$68,000, shared by all sites participating in the vending program. The evaluation criteria and vendor rating sheets are available in the Purchasing Department for review. For more information, contact Terry Fluent, Director, Purchasing, at (949) 234-9436.

CUSD Strategic Plan Pillar 5: Effective Operations

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

PERSONNEL SERVICES

38. RESIGNATIONS/RETIREMENTS/EMPLOYMENT – CLASSIFIED EMPLOYEES:

Page 355
EXHIBIT 38

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

39. RESIGNATIONS/RETIREMENTS/EMPLOYMENT – CERTIFICATED EMPLOYEES:

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EXHIBIT 39

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

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 MONDAY, SEPTEMBER 10, 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

CAPISTRANO UNIFIED SCHOOL DISTRICT
BOARD OF TRUSTEES

33122 Valle Road
San Juan Capistrano, CA 92675

ADDENDUM
to
August 20, 2012
Board Agenda

CONSENT CALENDAR - ADDITION

37A **DONATION OF FUNDS AND EQUIPMENT:**

A number of gifts have been donated to the District, and items other than cash have no financial impact on the budget. The District does not guarantee maintenance of those items or the expenditure of any District funds for their continued use.

CUSD Strategic Plan Pillar 3: Academic Achievement & Enrichment

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

Page 354a

EXHIBIT 37A

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.