

CAPISTRANO UNIFIED SCHOOL DISTRICT
BOARD OF TRUSTEES
MINUTES – REGULAR MEETING
AUGUST 20, 2012
EDUCATION CENTER – BOARD ROOM

President Pritchard called the meeting to order at 6:00 p.m. and announced closed session agenda item 3B, Public Employee Appointment/Employment, had been pulled from the closed session agenda on August 17. The Board recessed to closed session to: confer with Real Property Negotiators regarding the property at 2 Liberty, Aliso Viejo and discuss Public Employee Performance Evaluation.

Closed session recessed at 6:30 p.m.

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

The Pledge of Allegiance was led by Trustee Bryson.

Present: Trustees Addonizio, Alpay, Brick, Bryson, Hatton, Palazzo, and Pritchard

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 Alpay, seconded by Trustee Hatton, and motion carried by a 7-0 vote to adopt the Board agenda.

Adoption of the Board Agenda

ROLL CALL: AYES: Trustees Addonizio, Alpay, Brick, Bryson, Hatton, Palazzo, and Pritchard
NOES: None
ABSENT: None
ABSTAIN: None

President Pritchard reported the following action taken during closed session:

President's Report From Closed Session Meeting

Agenda Item #3 A – Real Property Negotiators:
Property at 2 Liberty, Aliso Viejo

The Board gave direction to staff.

Agenda Item #3 C – Public Employee Performance Evaluation - Superintendent:

No action was taken.

Trustee Palazzo requested staff provide Trustees with the number of full and minimum days of attendance by elementary, middle, and high school students for 2012-2013. Trustee Palazzo also requested updated lists of employee layoffs and releases for both certificated and classified staff using the same format as in the past.

Board and Superintendent Comments

There were no speakers.

Oral Communications

DISCUSSION/ACTION

Assistant Superintendent Julie Hatchel stated staff would be providing information on the status of the new Capistrano Unified Independent Study School, California Preparatory Academy. Dr. Rob Nye has been overseeing the program and the academy is ready to launch in September. Mrs. Hatchel explained the program is a blended program which means it is online with a face-to-face component as well. Using a live demonstration of California Preparatory Academy's synchronous technology, from the Thornsley building where the academy is housed, Dr. Rob Nye provided a PowerPoint presentation on the synchronous tools by CISCO, a detailed description of the program, student enrollment, survey results from the pilot, and next steps. Following the presentation Dr. Nye answered Trustee questions.

**Update on
California
Preparatory
Academy
Agenda Item 1**

Trustee Hatton requested staff to provide Trustees with profile data on the students enrolled in the academy. Trustee Bryson asked staff to publicize the program aired on the Fox channel on Sunday, August 19 regarding online schools.

Assistant Superintendent Jodee Brentlinger stated the collective bargaining agreement with CSEA outlines a process 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, the employee or Association may request an appeal through arbitration. CSEA requested to appeal grievances on behalf of five employees alleging violations of Article 3.7.1. The matter was heard by a state appointed arbitrator in February, and on July 12, 2012, the District received the decision from the arbitrator. The arbitrator upheld the District's positions that the grievances filed by CSEA were untimely and also substantiated the District had a long-standing practice of temporary additional assignments. The resolution for Board approval fulfills a requirement that the contract requests, and establishes a practice for any additional grievances that may be brought through arbitration.

**CSEA Grievance
Agenda Item 2**

It was moved by Trustee Alpay, seconded by Trustee Addonizio, and motion carried by a 7-0 vote to approve Resolution No. 1213-13, Final Resolution Regarding Grievance Filed by CSEA on Behalf of Classified Employees.

ROLL CALL: AYES: Trustees Addonizio, Alpay, Brick, Bryson, Hatton, Palazzo, and Pritchard
NOES: None
ABSENT: None
ABSTAIN: None

Assistant Superintendent Jodee Brentlinger explained this item is due to revenue reductions that Title 1 funds incurred following the original layoff resolution brought to the Board on April 25, 2012. There has also been some finalized classified staffing at the 12 middle schools with the Opportunity Assistants and the in-house suspension program. This resolution balances the staffing of the Opportunity Assistants across the middle schools and reduces positions no longer funded through Title 1 funds.

**Classified Layoffs
Agenda Item 3**

Following discussion, it was moved by Trustee Pritchard, seconded by Trustee Brick, and motion carried by a 5-2 vote to approve Resolution 1213-14, Classified Layoff Non-Management Employees, in the designated classifications.

ROLL CALL: AYES: Trustees Alpay, Brick, Bryson, Hatton, and Pritchard
NOES: Trustees Addonizio and Palazzo
ABSENT: None
ABSTAIN: None

President Pritchard asked Trustees for items they wished to pull from the Consent Calendar. Agenda items 4 and 35 were pulled.

**Items Pulled from
the Consent
Calendar**

CONSENT CALENDAR

It was moved by Trustee Alpay, seconded by Trustee Addonizio, and motion carried unanimously to approve the following Consent Calendar items:

Expunging of expulsion record: Case #2012-008.

**Expunging Student
Record
Agenda Item 5**

Adoption of *Mañana* published by Advance Materials ©2011.

**Instructional
Materials
Agenda Item 6**

Adoption of *Azulejo*, 2nd edition published by Wayside Publishing ©2012.

**Instructional
Materials
Agenda Item 7**

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.

**Instructional
Materials
Agenda Item 8**

Adoption of *1 2 3 Student Yearbook Guide* published by Jostens ©2010.

**Instructional
Materials
Agenda Item 9**

Adoption of *Focus on Photography* written by Hermon Joyner and Kathleen Monaghan published by Davis Publications ©2007.

**Instructional
Materials
Agenda Item 10**

Approval of the July 31, 2012, Consolidated Application and Reporting System Data Collections.

**Consolidated
Application and
Reporting System
Agenda Item 11**

Approval of the CHOC Children's Breathmobile Program Memorandum of Understanding (MOU).

**CHOC MOU
Agenda Item 12**

Approval of the Western Digital Foundation grant award of \$5,877 for the Putting the E in STEM: Engineering is Elementary program.

**Western Digital
Foundation Grant
Agenda Item 13**

Purchase orders, warrants, and previously Board-approved bids and contracts as listed.

**Purchase
Orders/Warrants
Agenda Item 14**

Ratification of District standardized Independent Contractor, Master Contract, and Professional Services Agreements.

**Professional
Services
Agreements
Agenda Item 15**

Approval of the ratification of special education Informal Dispute Resolution agreement case #070312.	Informal Dispute Resolution Agreement Agenda Item 16
Approval of the Financial Obligation Agreement between the District and Orange County Department of Education in connection with special education settlement agreement #2012020831.	Financial Obligation Agreement Agenda Item 17
Approval of the Agreement between the District and Orange County Health Care Agency to provide educationally related mental health services as requested by the District.	Mental Health Services Agreement Agenda Item 18
Approval of the Memorandum of Understanding between the District and Orange County Superintendent of Schools to conduct special education programs and services for eligible District students July 1, 2012 through June, 30, 2013.	OCDE MOU Agenda Item 19
Resolution No. 1213-02 authorizing the levy of Special Tax in CFD No. 88-1 (Rancho Santa Margarita) for fiscal year 2012-2013.	CFD 88-1 Agenda Item 20
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.	CFD 90-1 Agenda Item 21
Resolution No. 1213-04 authorizing the levy of Special Tax in CFD No. 90-2 (Talega) for fiscal year 2012-2013.	CFD 90-2 Agenda Item 22
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.	CFD 90-2 Agenda Item 23
Resolution No. 1213-06 authorizing the levy of Special Tax in CFD No. 92-1 (Las Flores) for fiscal year 2012-2013.	CFD 92-1 Agenda Item 24
Resolution No. 1213-07 authorizing the levy of Special Tax in CFD No. 94-1 (Rancho Santa Margarita) for fiscal year 2012-2013.	CFD 94-1 Agenda Item 25
Resolution No. 1213-08 authorizing the levy of Special Tax in CFD No. 98-1A (Pacifica San Juan) for fiscal year 2012-2013.	CFD 98-1A Agenda Item 26
Resolution No. 1213-09 authorizing the levy of Special Tax in CFD No. 98-2 (Ladera) for fiscal year 2012-2013.	CFD 98-2 Agenda Item 27
Resolution No. 1213-10 authorizing the levy of Special Tax in CFD No. 2004-1 (Rancho Madrina) for fiscal year 2012-2013.	CFD 2004-1 Agenda Item 28
Resolution No. 1213-11 authorizing the levy of Special Tax in CFD No. 2005-1 (Whispering Hills) for fiscal year 2012-2013.	CFD 2005-1 Agenda Item 29
Resolution No. 1213-12 authorizing the levy of Special Tax in CFD No. 87-1 (Mission Viejo/Aliso Viejo) for fiscal year 2012-2013.	CFD 87-1 Agenda Item 30
Approval of amendment to Consultant Agreement No. C0910101 with Harbottle Law Group for general legal services as required by the District.	Consulting Agreement Amendment Agenda Item 31

Agreement for Participation – Inside the Outdoors School Program No. 50057 with Orange County Superintendent of Schools to provide the Traveling Scientist Programs to various schools as requested by the District.

Agreement for Participation with OCDE
Agenda Item 32

Agreement for Participation – Inside the Outdoors Field Program No. 50070 with Orange County Superintendent of Schools to provide field trips for various schools as requested by the District.

Agreement for Participation with OCDE
Agenda Item 33

Agreement for Use of Resident Outdoor Science School Facilities, Supplies, Equipment, and Services No. 50003 with Orange County Superintendent of Schools to provide the Outdoor Science School Program for various schools as requested by the District.

Agreement for Participation with OCDE
Agenda Item 34

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.

Limited Use License Agreement
Agenda Item 35

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, Inc., under the same terms and conditions of the public agency's contract.

Software/Technical Support Piggyback Bid
Agenda Item 36

Approval of the award of RFQ No. 4-1213, Snack & Beverage Vending Services, to Vending + Plus.

Snack and Vending Services
Agenda Item 37

Donation of equipment.

Donations
Agenda Item 37A

Resignations, retirements, and employment of classified personnel.

Resignations/Retirements/Employment (Classified Personnel)
Agenda Item 38

Resignations, retirements, and employment of certificated personnel.

Resignations/Retirements/Employment (Certificated Personnel)
Agenda Item 39

ROLL CALL: AYES: Trustees Addonizio, Alpay, Brick, Bryson, Hatton, Palazzo, and Pritchard
NOES: None
ABSENT: None
ABSTAIN: None

Trustee Bryson requested her remarks regarding Dr. Farley's competence and capabilities following Vicky Soderberg's comments during the discussion of agenda item 24 (agenda page 41) be added to the minutes.

Minutes
Agenda Item 4

It was moved by Trustee Bryson, seconded by Trustee Addonizio, and motion carried unanimously to approve the minutes of the July 25, 2012, regular Board meeting as amended.

Trustee Palazzo questioned why the dollar amount in the item's descriptive paragraph did not match the dollar amount in the item's exhibit. Deputy Superintendent Clark Hampton stated he would need to have staff research the discrepancy.

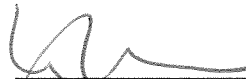
Limited Use
License Agreement
Agenda Item 35

It was moved by Trustee Palazzo, seconded by Trustee Addonizio, and motion carried unanimously to approve continuing 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 to the next meeting.

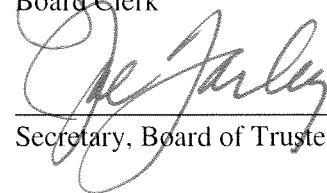
It was moved by Trustee Alpay, seconded by Trustee Bryson, and motion carried unanimously to adjourn the meeting.

Adjournment

President Pritchard announced the meeting adjourned at 7:41 p.m.



Board Clerk



Secretary, Board of Trustees

Minutes submitted by Jane Boos, Manager, Board Office Operations