

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

BOARD OF TRUSTEES  
Regular Meeting

February 13, 2013

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/John Forney  
Parcel on the west side of La Pata due east from San Juan Hills High School  
(Pursuant to Government Code §54956.8)

**EXHIBIT 3A**

**B. STUDENT EXPULSIONS**

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

**EXHIBIT 3B1-B6**

**C. PUBLIC EMPLOYEE APPOINTMENT/EMPLOYMENT**

- 1) High School Principal
  - 2) High School Activities Director
  - 3) Supervisor IV, Transportation Operations
- (Pursuant to Government Code §54957)

**EXHIBIT 3C1-C3**

**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**

*Student Body President's Report – San Juan Hills High School*

**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. RATIFICATION OF CERTIFICATE OF COMPLIANCE:**

The Board is asked to ratify a project specific Certificate of Compliance form for use between the Rancho Mission Viejo Community Development Company (RMV) and the District relating to the building of model homes for new housing projects planned within the District. This will provide for a provisional agreement while a formal mitigation agreement between the District and RMV is being negotiated. The mitigation agreement will fund school sites and facilities for students who will eventually reside in the housing developments. The Certificate of Compliance provides evidence to the construction permit issuing authority, in this case the County of Orange, that builders have satisfied a statutory requirement to mitigate the impact students residing in the homes will have on District facilities. The exhibit to this item includes information on the mitigation fees. This Certificate of Compliance, including the project specific Exhibit A, will be executed each time a home builder requests a permit for a model home from the County and pays the appropriate fees to the District.

*CUSD Strategic Plan Pillar 5: Effective Operations*  
*Contact: Joseph M. Farley, Superintendent*

**Staff Recommendation**

It is recommended the Board President recognize Joseph Farley, Superintendent, to present this item.

Following discussion, it is recommended the Board of Trustees approve the ratification of the Certificate of Compliance.

DISCUSSION/  
ACTION  
Page 1  
**EXHIBIT 1**

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

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

**2. REPORT ON THE I-5/ORTEGA INTERCHANGE PROJECT:**

The purpose of this item is to update the Board of Trustees on the I-5/Ortega interchange construction project and the efforts to minimize impact on surrounding school operations. District staff and a representative from the California Department of Transportation will provide a PowerPoint presentation.

*CUSD Strategic Plan Pillar 5: Effective Operations*

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

Staff Recommendation

It is recommended the Board President recognize Clark Hampton, Deputy Superintendent, Business and Support Services, to present this item. This is an information item only and no Board action is necessary.

INFORMATION/  
DISCUSSION  
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**EXHIBIT 2**

**3. REPORT ON THE I-5/AVENIDA PICO CONSTRUCTION PROJECT:**

The purpose of this item is to update the Board of Trustees on the I-5/Avenida Pico construction project scheduled for Fall 2013 and the efforts to minimize impact on surrounding school operations. District staff and a representative from the Orange County Transit Authority will provide a PowerPoint presentation.

*CUSD Strategic Plan Pillar 5: Effective Operations*

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

Staff Recommendation

It is recommended the Board President recognize Clark Hampton, Deputy Superintendent, Business and Support Services, to present this item. This is an information item only and no Board action is necessary.

INFORMATION/  
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**EXHIBIT 3**

**4. MODIFICATIONS TO THE BOARD MEETING AGENDA:**

The format of the Board meeting agenda was changed significantly after a subcommittee of the Superintendent and three Trustees developed modifications that were approved by the entire Board and then implemented. At the September 24, 2012, Board meeting, Trustee Addonizio asked to return to having a formal report on each agenda item that includes background information, current considerations, financial implications, and staff recommendations. These elements are currently incorporated into the agenda listing description. However, staff is providing this memo format as the first page of an exhibit for any Discussion/Action and Information/Discussion item requiring more detailed background information than is provided in the item's description. After discussing Trustee Addonizio's suggestion, Trustees requested the matter be brought back to the Board after newly elected Trustees were in place. The exhibit includes examples of the following:

- An agenda listing from the February 8, 2011, Board meeting that would be the new agenda listing format upon approval of changes
- A Discussion/Action exhibit from the February 8, 2011, Board meeting
- A Consent Calendar exhibit from the February 8, 2011, Board meeting

*CUSD Strategic Plan Pillar 5: Effective Operations*

*Contact: Joseph M. Farley, Superintendent*

Staff Recommendation

It is recommended the Board of Trustees discuss the suggested revisions and provide direction to the Superintendent concerning the desired format of the Board agenda.

DISCUSSION/  
ACTION  
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**EXHIBIT 4**

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

5. **BOUNDARY ADJUSTMENTS FOR BARCELONA HILLS STUDY AREAS:**  
In 2012, the Board of Trustees voted to repurpose Barcelona Hills Elementary School for Oxford Preparatory Academy. For the 2011-2012 school year, families residing within the Barcelona Hills attendance areas were given the option of enrolling at Castille or Reilly elementary school. At this time, staff is recommending that the former Barcelona Hills study areas be reassigned to Castille and Reilly elementary schools as follows: Assign study areas 0010, 0020, and 0031 to the Castille Elementary School attendance area. Assign study areas 0032 and 0090 to the Reilly Elementary School attendance area. No existing students would be moved under this proposal. This proposed boundary adjustment allows room for open enrollment to accommodate any concerns for the potential separation of siblings. Under this proposal, neither site will reach their historical maximum enrollment within the next six years.

*CUSD Strategic Plan Pillar 5: Effective Operations*

*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. This is an information item only and no Board action is necessary.

6. **SECOND READING – BOARD POLICY 5126, STATE SEAL OF BILITERACY:**

The State Seal of Biliteracy recognizes high school graduates who have attained a high level of proficiency in speaking, reading, and writing, one or more languages in addition to English. The State apportions the Golden State Seal Merit Diploma program monies to create an electronic or sticker insignia for student diplomas and/or transcripts. Students qualify if they have both a competency in English, as measured by classwork and standardized testing, as well as a competency level in a world/foreign language offered within the District curriculum. English learners who have mastered English, in addition to their primary language, can also qualify for the distinction. District staff will verify requirements have been met and attach the State Seal of Biliteracy to diplomas and/or transcripts. Monies received from state appropriation for the Golden State Seal Merit Diploma would offset the costs; therefore, there are no costs associated with this item.

*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 Board Policy 5126, *Seal of Biliteracy*.

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

7. **FIRST READING – REVISIONS TO BOARD POLICY 5119, OPEN ENROLLMENT:**

This item presents a first reading of proposed changes to Board Policy 5119, *Open Enrollment*. Proposed revisions include changing the name of this policy from Open Enrollment to School of Choice to eliminate confusion with the Open Enrollment Act implemented by the California Department of Education, as well as eliminating the second open enrollment window, which will streamline staffing and student placement in preparation for the beginning of the school year.

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

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

INFORMATION/  
DISCUSSION  
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**EXHIBIT 5**

DISCUSSION/  
ACTION  
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**EXHIBIT 6**

INFORMATION/  
DISCUSSION  
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**EXHIBIT 7**

Staff Recommendation

It is recommended the Board President recognize Julie Hatchel, Assistant Superintendent, Education Services, to present this item. This is an information item only and no Board action is necessary.

**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**

- 8. **SCHOOL BOARD MINUTES:** Page 85  
**EXHIBIT 8**  
Approval of the minutes of the January 23, 2013, regular Board meeting.  
*Contact: Jane Boos, Manager, Board Office Operations*
  
- 9. **SCHOOL BOARD MINUTES:** Page 93  
**EXHIBIT 9**  
Approval of the minutes of the January 28, 2013, special Board meeting.  
*Contact: Jane Boos, Manager, Board Office Operations*

**CURRICULUM & INSTRUCTION**

- 10. **SINGLE SCHOOL PLANS FOR STUDENT ACHIEVEMENT AND BUDGETS FOR 2012-2013:**  
Approval of the Single School Plans for Student Achievement and Budgets (SPSA) for the 2012-2013 school year. As required by SB374, the purpose of each school's SPSA is to create a cycle of continuous improvement of student performance, and to ensure all students succeed in reaching academic standards set by the State Board of Education. Each plan is developed and initially approved through a process conducted by the school site advisory committee that includes stakeholder input. Plans are written to cover a two-year period but are updated annually. The outlined action plans and related expenditures are implemented throughout the school year and serve as a framework for each school's efforts. Each school's plan is reviewed and approved by its School Site Council, which is composed of a balanced group representing parents, community members, and staff.  
*CUSD Strategic Plan Pillar 3: Academic Achievement & Enrichment*  
*Contact: Julie Hatchel, Assistant Superintendent, Education Services*

**BUSINESS & SUPPORT SERVICES**

- 11. **PURCHASE ORDERS, COMMERCIAL WARRANTS, AND PREVIOUSLY BOARD-APPROVED BIDS AND CONTRACTS:** Page 95  
**EXHIBIT 11**  
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 \$858,300.78; the commercial warrants total \$8,341,947.69. Attachment 3 is a list of previously Board-approved bids and contracts to assist in the review of the purchase order and commercial warrant listings. Attachment 4 is a list of previously Board-approved by vendor warrants exceeding \$250,000.  
*CUSD Strategic Plan Pillar 5: Effective Operations*  
*Contact: Clark Hampton, Deputy Superintendent, Business and Support Services*

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

A number of gifts have been donated to the District, including \$34,722.02 in cash. These funds will be deposited in the appropriate school accounts. Items other than cash have no financial impact on the budget. The District does not guarantee maintenance of items or the expenditure of any District funds for continued use.

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

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

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**EXHIBIT 12**

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

Approval and ratification of District standardized Independent Contractor, Master Contract, and Professional Services Agreements. Due to state budget cuts to schools over the last several years, staff requests contractors to reduce their fees for services by ten percent. The expenditures related to the listed agreements were previously authorized as part of the District's budget approval process. The agreements total \$92,275.00.

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*

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**EXHIBIT 13**

**14. SPECIAL EDUCATION SETTLEMENT AGREEMENTS:**

Approval of the ratification of special education settlement agreement #2012110447, California Department of Education Compliance Complaint S-0418-12/13, and Informal Dispute Resolution agreement #122612. Due to the confidential nature of the agreements, supporting information is provided to Trustees under separate cover.

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

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

**15. SPECIAL EDUCATION SETTLEMENT AGREEMENT:**

Approval of special education settlement agreement #2012110748. Due to the confidential nature of the agreement, supporting information is provided to Trustees under separate cover.

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

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

**16. AGREEMENT FOR ARCHITECTURAL AND RELATED SERVICES WITH WLC ARCHITECTS INCORPORATED:**

Approval of Agreement for Architectural and Related Services with WLC Architects, Incorporated (WLC) to complete the Capistrano Valley High School Performing Arts Center project. WLC is the architect of record with the Division of State Architect on this project. WLC's contract with the District expires February 24, 2013. In order to complete the contract, approximately \$109,000 in architectural services remains to be completed, funded from CFD 87-1.

*CUSD Strategic Plan Pillar 5: Effective Operations*

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

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**EXHIBIT 16**

17. **EXTENSION OF AGREEMENT FOR BID NO. 1011-10, ROOFING REPAIRS AND MAINTENANCE DISTRICTWIDE – ARCHITECTURAL ROOFING SYSTEMS, INCORPORATED, DBA PACIFIC ROOFING SYSTEMS:** Page 205  
EXHIBIT 17  
 Approval of the extension of the agreement for roofing repairs and maintenance to be provided by Pacific Roofing Systems. The vendor was sent a letter requesting reduced pricing for the contract renewal term, March 9, 2013, through March 8, 2014. Pacific Roofing Systems responded, offering reduced pricing on 20 items, while maintaining pricing on the remaining 73 items. This contract provides roof repairs and maintenance for all facilities throughout the District. Estimated annual expenditures utilizing this contract are approximately \$350,000, funded from deferred maintenance, routine restricted maintenance, modernization accounts, and site funds.  
*CUSD Strategic Plan Pillar 5: Effective Operations*  
*Contact: Clark Hampton, Deputy Superintendent, Business and Support Services.*
18. **EXTENSION OF BID NO. 1011-08, MILK AND DAIRY PRODUCTS – HOLLANDIA DAIRY, INCORPORATED:** Page 231  
EXHIBIT 18  
 Approval of extension of Bid No. 1011-08 for milk and dairy products provided by Hollandia Dairy Incorporated. This contract provides competitive pricing for milk and dairy products for all school sites and the central kitchen. Milk and dairy products are experiencing an upward commodity pricing due to the farm milk price, an increase in the price of grain, energy costs, and labor costs. Milk and dairy prices are adjusted monthly by the California Department of Food & Agriculture. The annual expenditures under this agreement are not to exceed \$600,000, funded by Food and Nutrition Services.  
*CUSD Strategic Plan Pillar 5: Effective Operations*  
*Contact: Clark Hampton, Deputy Superintendent, Business and Support Services*
- PERSONNEL SERVICES**
19. **RESIGNATIONS/RETIREMENTS/EMPLOYMENT – CLASSIFIED EMPLOYEES:** Page 255  
EXHIBIT 19  
 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*
20. **RESIGNATIONS/RETIREMENTS/EMPLOYMENT – CERTIFICATED EMPLOYEES:** Page 263  
EXHIBIT 20  
 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*
21. **QUARTERLY REPORT – WILLIAMS SETTLEMENT UNIFORM COMPLAINT:** Page 271  
EXHIBIT 21  
 Acceptance of Williams Settlement Second 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*

~~22. AUTHORIZATION OF COACHES TO PROVIDE SECOND SEMESTER PHYSICAL EDUCATION CREDIT:~~

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EXHIBIT 22

Item pulled on  
2-8-13

~~Approval of teachers who are credentialed in subjects other than physical education (PE) to provide PE credit to students in that respective sport. Districts may assign a teacher with a credential in a subject area other than PE to coach a competitive sport and award physical education credit to students. State law requires that such teachers be full time employees of a district, complete a minimum of 20 hours of first aid instruction, have training on the harmful effects of steroid use, and be approved by the Board of Trustees. It has been determined that all teachers who do not hold a physical education credential, but are assigned coaching activities for which such credit is given, are full time employees of the District and have completed cardiopulmonary resuscitation and first aid instruction. Therefore, it is now appropriate for the Board to approve teachers so assigned. Coaching stipends are budgeted and funded through the general fund or booster club donations.~~

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

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

Motion by \_\_\_\_\_ Seconded by \_\_\_\_\_  
ROLL CALL:  
Student Advisor Madison Wolfert \_\_\_\_\_  
Trustee Addonizio \_\_\_\_\_ Trustee Hatton \_\_\_\_\_  
Trustee Bryson \_\_\_\_\_ Trustee Pritchard \_\_\_\_\_  
Trustee Hanacek \_\_\_\_\_ Trustee Reardon \_\_\_\_\_  
Trustee Alpay \_\_\_\_\_

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

**ADJOURNMENT**

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

**THE NEXT REGULAR MEETING OF THE BOARD OF TRUSTEES IS WEDNESDAY, FEBRUARY 27, 2013, 7:00 P.M. AT THE CAPISTRANO UNIFIED SCHOOL DISTRICT OFFICE BOARD ROOM, 33122 VALLE ROAD, SAN JUAN CAPISTRANO, CALIFORNIA**

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



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

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

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

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

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

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

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

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

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

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

#### REASONABLE ACCOMMODATION

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