

BOARD OF TRUSTEES
Regular Meeting

October 24, 2012

Closed Session 6:30 p.m.
Open Session 7:00 p.m.

AGENDA

CLOSED SESSION AT 6:30 P.M.

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

A. ~~PUBLIC EMPLOYEE APPOINTMENT/EMPLOYMENT~~

Supervisor IV, Transportation Operations
(Pursuant to Government Code §54957)

EXHIBITS 3 A

deleted on 10/18/12

B. STUDENT EXPULSIONS

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

EXHIBIT 3 B1-B4

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

*Laguna Niguel Pickleball Players
Student Body President's Report – Capistrano Valley 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. SPECIAL EDUCATION COMMUNITY ADVISORY COMMITTEE ANNUAL REPORT:

California Education Code §56190-56194 specifies that each Special Education Local Plan Area must establish a Community Advisory Committee (CAC) with parents of students with special needs forming the majority of membership. Other members include parents of other students in the District, general education and special education teachers, other school personnel, representatives of other public and private agencies, and other persons concerned with individuals with exceptional needs. CAC members are appointed by the Board of Trustees for a period of two years in an advisory capacity. CAC responsibilities include: advising the District on the plan for special education, recommending annual priorities, assisting in parent education, recruiting parents and other volunteers, encouraging community involvement in special education, supporting activities on behalf of individuals with special needs, and assisting in parent awareness of the importance of regular school attendance. The presentation will provide the CAC highlights of 2011-2012, establish the CAC goals for 2012-2013, and recommend special education priorities for the 2012-2013 school year.

CUSD Strategic Plan Pillar 1: Community Relations

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

Staff Recommendation

It is recommended the Board President recognize Sara Jocham, Assistant Superintendent, SELPA and Special Education Operations, to present information on this item and answer any questions Trustees may have. This is an information item only and no Board action is necessary.

INFORMATION/
DISCUSSION

Page 1

EXHIBIT 1

2. **RESOLUTION 1213-26 – AUTHORIZING DELIVERY AND SALE OF 2012 REFUNDING CERTIFICATES OF PARTICIPATION IN THE MAXIMUM PRINCIPAL AMOUNT OF \$23,000,000:**

DISCUSSION/
ACTION
Page 5
EXHIBIT 2

The Board of Trustees is asked to consider Resolution No. 1213-26, Authorizing Delivery and Sale of 2012 Refunding Certificates of Participation in the maximum principal amount of \$23,000,000 and approving the form of various documents (the documents with later modifications as authorized by District staff) for the purpose of refinancing the District’s outstanding 2002 Certificate of Participation in order to achieve District savings.

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.

Following discussion, it is recommended the Board of Trustees adopt Resolution No. 1213-26, Authorizing Delivery and Sale of 2012 Refunding Certificates of Participation in the maximum principal amount of \$23,000,000.

Motion by _____ Seconded by _____

ROLL CALL:

Student Advisor Madison Wolfert _____

Trustee Addonizio _____

Trustee Alpay _____

Trustee Brick _____

Trustee Bryson _____

Trustee Hatton _____

Trustee Palazzo _____

Trustee Pritchard _____

3. **COMMUNITY FACILITIES DISTRICTS SUMMARY REPORT:**

INFORMATION/
DISCUSSION
Page 215
EXHIBIT 3

Staff will provide the Board of Trustees with a summary report on each of the Community Facilities Districts.

The PowerPoint presentation will be posted online on the District Board Agendas and Supporting Documentation page prior to the close of business on Friday, October 19, 2012.

CUSD Strategic Plan Pillar 5: Effective Operations

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

It is recommended the Board President recognize Clark Hampton, Deputy Superintendent, Business and Support Services, to present information on this item and answer any questions Trustees may have. 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

4. **SCHOOL BOARD MINUTES:**

Page 297
EXHIBIT 4

Approval of the minutes of the October 8, 2012, regular Board meeting.

Contact: Jane Boos, Manager, Board Office Operations

BUSINESS & SUPPORT SERVICES

5. **PURCHASE ORDERS, COMMERCIAL WARRANTS, AND PREVIOUSLY BOARD-APPROVED BIDS AND CONTRACTS:** Page 303
EXHIBIT 5
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 \$1,419,464.51; the commercial warrants total \$5,511,924.72. 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
6. **DONATION OF FUNDS AND EQUIPMENT:** Page 333
EXHIBIT 6
A number of gifts have been donated to the District, including \$154,129.06 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
7. **INDEPENDENT CONTRACTOR, MASTER CONTRACT, AND PROFESSIONAL SERVICES AGREEMENTS:** Page 337
EXHIBIT 7
Approval and ratification of new District standardized Independent Contractor, Master Contract, and Professional Services Agreements and amendments to existing contracts. 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 exhibit shows one new agreement and one new agreement ratification totaling \$46,800.00, and one amendment increasing the amount to an existing contract by \$2,000 for additional services as requested by the District.

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
8. **SPECIAL EDUCATION INFORMAL DISPUTE RESOLUTION AGREEMENTS:**
Approval of the ratification of special education Informal Dispute Resolution agreement Case #091312 and Case #091412. 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

9. SPECIAL EDUCATION FINANCIAL OBLIGATION AGREEMENT:

Approval of the Financial Obligation Agreement between the District and Orange County Department of Education in connection with special education settlement agreement #2012020259. 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

10. EXTENSION OF AGREEMENTS BID NO. 1011-07, CO-CURRICULAR BUS SERVICE, VARIOUS VENDORS:

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EXHIBIT 10

Approval of extension of agreements for co-curricular bus service to be provided by Certified Transportation Services, Incorporated; Hot Dogger Tours, Incorporated dba Gold Coast Tours; JFK Transportation Company, Incorporated; Pacific Coast Sightseeing Tours & Charters, Incorporated; and Transportation Charter Services, Incorporated. All companies were sent a letter requesting reduced pricing for the 2012-2013 school year. Certified Transportation Service, Incorporated.; Hot Dogger Tours, Incorporated dba Gold Coast Tours; JFK Transportation Co., Incorporated.; and Pacific Coast Sightseeing Tours & Charters, Incorporated rates remain the same. Transportation Charter Services, Incorporated has offered a ten percent reduction in rates. Vendors are charging a zero to ten percent fuel surcharge, subject to adjustment, due to high fuel costs. This contract provides competitive, hourly rates for the transportation of students to and from co-curricular activities as required by the District. Estimated expenditures for the 2012-2013 fiscal year utilizing this contract are approximately \$400,000, funded from the appropriate accounts, including the general fund, Associated Student Body, and parent support groups.

Due to the size of the contracts, 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

11. FINAL ACCEPTANCE AND FILING OF NOTICE OF COMPLETION FOR SAN JUAN HILLS HIGH SCHOOL'S NEW BASEBALL DUGOUTS, RSB GROUP, INCORPORATED:

Page 371
EXHIBIT 11

Approval of the final acceptance and filing of the Notice of Completion for the construction of the new baseball dugouts at San Juan Hills High School. All work has been inspected and completed to the satisfaction of staff, and the District has given the contractor notice of beneficial occupancy as of October 4, 2012.

CUSD Strategic Plan Pillar 5: Effective Operations

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

12. FINAL ACCEPTANCE AND FILING OF NOTICE OF COMPLETION FOR NEWHART MIDDLE SCHOOL'S MULTI-PURPOSE ROOM REMODEL PROJECT - CONSTRUCT 1 ONE, CORPORATION:

Page 373
EXHIBIT 12

Approval of the final acceptance and filing of the Notice of Completion for the remodel of the multi-purpose room at Newhart Middle School. All work has been inspected and completed to the satisfaction of staff, and the District has given the contractor notice of beneficial occupancy as of September 26, 2012.

CUSD Strategic Plan Pillar 5: Effective Operations

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

13. TERMINATION OF ORIGINAL CONTRACT AND AWARD OF NEW CONTRACT BID NO. 1112-15, REFURBISHED COMPUTER EQUIPMENT:

Termination of original contract with CNB Computers, Incorporated for refurbished computer equipment because the quality control was not meeting District standards. The District will award the new contract to Insight Systems Exchange, the second lowest bidder. The initial base contract term is October 25, 2012, through October 24, 2013. The contract may be extended by mutual agreement, and upon Board approval, for a renewal term not to exceed two additional one-year periods. This contract provides set pricing for refurbished computer equipment such as desktops, laptops, monitors, and accessories. Estimated annual expenditures utilizing this contract are limited to \$100,000, funded by site funds, gift funds, grants, and the general fund.

CUSD Strategic Plan Pillar 5: Effective Operations

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

PERSONNEL SERVICES

14. RESIGNATIONS/RETIREMENTS/EMPLOYMENT – CLASSIFIED EMPLOYEES:

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

CUSD Strategic Plan Pillar 5: Effective Operations

Contact: Jodee Brentlinger, Assistant Superintendent, Personnel Services

15. RESIGNATIONS/RETIREMENTS/EMPLOYMENT – CERTIFICATED EMPLOYEES:

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

CUSD Strategic Plan Pillar 5: Effective Operations

Contact: Jodee Brentlinger, Assistant Superintendent, Personnel Services

16. QUARTERLY REPORT-WILLIAMS SETTLEMENT UNIFORM COMPLAINT:

Acceptance of Williams Settlement First 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 any deficiencies/complaints, or the absence of deficiencies/complaints, be reported to the Board of Trustees at a regularly scheduled public meeting each quarter. One complaint filed by a teacher at Moulton Elementary School this quarter was resolved.

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 Alpay _____

Trustee Brick _____

Trustee Bryson _____

Trustee Hatton _____

Trustee Palazzo _____

Trustee Pritchard _____

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

ADJOURNMENT

Motion by _____ Seconded by _____

**THE NEXT REGULAR MEETING OF THE BOARD OF TRUSTEES IS WEDNESDAY,
NOVEMBER 14, 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

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.