

CAPISTRANO UNIFIED SCHOOL DISTRICT
BOARD OF TRUSTEES
MINUTES – REGULAR MEETING
FEBRUARY 27, 2013
EDUCATION CENTER – BOARD ROOM

President Alpay called the meeting to order at 5:30 p.m. The Board recessed to closed session to: confer with Legal Counsel regarding Existing Litigation; discuss Public Employee Appointment/Employment; discuss Public Employee Discipline/Dismissal/Release; discuss Student Expulsions; and confer with Real Property Negotiators.

The regular meeting of the Board reconvened to open session and was called to order by President Alpay at 7:07 p.m.

The Pledge of Allegiance was led by Madison Wolfert.

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

Absent: Trustee Bryson

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 Hatton, seconded by Trustee Addonizio, and motion carried by a 6-0 vote to adopt the Board agenda.

Adoption of the Board Agenda

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

President Alpay reported the following action taken during closed session:

President's Report From Closed Session Meeting

**Agenda Item #3 A – Conference with Legal Counsel – Existing Litigation:
Case Number 30-2011-00509686**

The Board voted by a 6-0 vote to authorize counsel to file a writ of mandamus, not to exceed \$10,000 in legal fees, and authority to seek a stay of the trial date.

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

Agenda Item #3 B1 – Public Employee Appointment/Employment:

The Board voted 6-0 to approve the appointment of Sara Young, Director V, Informal Dispute Resolution Specialist.

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

Agenda Item #3 B2 – Public Employee Appointment/Employment:

The Board voted 6-0 to approve the appointments of Dana Erickson and Matthew Krause, Managers IV, Fiscal Services.

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

Agenda Item #3 C – Public Employee Discipline/Dismissal/Release

The Board voted 6-0 to accept the resignation of Employee #30077, Director VI, Curriculum and Instructional Support, effective July 31, 2013, and to enter into a release agreement that includes a waiver of all claims known and unknown against the District.

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

The Board voted 6-0 to authorize the issuance of a non-reelection notice to Employee #027470 for the 2013-2014 school year.

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

Agenda Item #3 D1 through D8 – Student Expulsions:

The Board voted 6-0 to expel the following students by stipulated agreement: Case #2013-034, #2013-035, #2013-036, #2013-037, #2013-041, #2013-042, #2013-043, and #2013-044.

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

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

The Board gave direction to staff.

Students in each of the following categories received special recognition by the Board:

**Special
Recognitions**

National Merit Finalists

- ANHS: Vicki Lau and Jamasb Sayadi (Not in attendance: Ryan Song)
- CVHS: Christopher Healy and Nicholas Burakoff
- DHHS: Amanda Buckingham, Rohit Kolar, Katherine McGauley, and Devin Trabant (Not in attendance: Andrew Pham)
- THS: Clay Coleman and Bryan Lee (Not in attendance: Alexandra Ivanov and Ryan Yoo)

National Achievement Scholarship Program Finalist

SCHS: Sara Kebede

National Hispanic Scholars

CVHS: Samuel Fleitman and Tahireh Hicks

(Not in attendance: Andre Gray and Cameron Mahmoodzadeh)

DHHS: Kelly Gomez

SJHHS: Galen Hanson

Trustee Hatton congratulated the Capistrano Valley High School girls' soccer teams for winning the Sea View League championships.

Board and Superintendent Comments

Trustee Hanacek thanked Capistrano Unified Council of PTSAs for hosting the No Regrets Parenting event at Dana Hills High School on February 20.

Trustee Alpay congratulated the San Clemente High School boys' soccer team for being in the finals.

There were no speakers.

Oral Communications

DISCUSSION/ACTION

President Alpay announced the Public Hearing open at 7:21 p.m. regarding the boundary adjustments for Barcelona Hills study areas. There being no speakers to address the Board, President Alpay declared the Public Hearing closed at 7:23 p.m.

Public Hearing: Boundary Adjustments for Barcelona Hills Study Areas Agenda Item 1

It was moved by Trustee Addonizio, seconded by Trustee Hanacek, and motion carried by a 6-0 vote to approve the reassignment of study areas 0010, 0020, and 0031 to the Castille Elementary School attendance area and study areas 0032 and 0090 to the Reilly Elementary School attendance area.

Boundary Adjustments for Barcelona Hills Study Areas Agenda Item 2

ROLL CALL: AYES: Trustees Addonizio, Alpay, Hanacek, Hatton, Pritchard, Reardon, and Student Advisor Madison Wolfert

NOES: None

ABSENT: Trustee Bryson

ABSTAIN: None

Deputy Superintendent Clark Hampton explained that after the recent refinancing of the Certificate of Participation (COP) staff reviewed the debt service payments for the COP in terms of the impact on debt service payments with regard to the dissolution of Redevelopment Agencies, what portion of debt service in the past was borne by CFDs, and if over the life of the debt service schedule are all CFDs contributing to the portion of the debt related to the District office. Mr. Hampton stated the report (exhibit) prepared by Taussig and Associates, illustrates the past contribution of CFDs to this portion of the debt service and an estimate for rebalancing payments among all CFDs. When the COP is paid off there is a contribution by each CFD to the debt service portion as related to the District office. Mr. Hampton introduced Andrea Roess, Managing Director of David Taussig & Associates, Inc., and Alex Bowie, Partner with Bowie, Arneson, Wiles & Giannone to answer Trustee questions.

Community Facilities District Rebalancing Agenda Item 3

Superintendent Farley stated this item provides Trustees with the options of discussing ongoing and new goals and objectives at this meeting or submitting their written suggestions for goals and objectives to President Alpay so he can develop a written summary for discussion at a future Board meeting. Dr. Farley stated the exhibit for this item provides some of the accomplishments over the last two years and additional District needs that may be incorporated into future goals and objectives. The Board was in agreement with providing President Alpay with written goals and objectives to compile and bring back to the next Board meeting for Trustee discussion.

**Superintendent
Goals and
Objectives
Agenda Item 4**

Superintendent Farley explained that at the December 10, 2012, Board meeting, Trustees approved changing the night Board meetings are conducted from the second Monday and fourth Wednesday to the second and fourth Wednesday each month. The proposed revisions to Board Bylaw 9320, *Meetings*, reflect the change. This item will be brought back for a second reading at the March 13 Board meeting.

**Board Policy
Revision
Agenda Item 5**

It was moved by Trustee Hatton, seconded by Trustee Reardon, and motion carried by a 6-0 vote to approve revisions to Board Policy 5119, School of Choice.

**Board Policy
Revision
Agenda Item 6**

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

Assistant Superintendent Jodee Brentlinger stated this is the fifth year in a row this item has been brought before the Board for approval. As a precautionary measure, this item proposes consideration of the adoption of Resolution No. 1213-33 which reserves the right to a reduction in salaries and/or work year calendars during the 2013-2014 school year should it become necessary.

**Resolution No.
1213-33
Agenda Item 7**

It was moved by Trustee Reardon, seconded by Trustee Hatton, and motion carried by 6-0 vote to approve Resolution No. 1213-33, Reserving the Right to Make 2013-2014 CUMA Employee Compensation Reductions, and provide authorization to deliver written notice to unrepresented CUMA employees.

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

President Alpay asked Trustees for items they wished to pull from the Consent Calendar. Items #16, #31, and #32 were pulled.

**Items Pulled from
the Consent
Calendar**

CONSENT CALENDAR

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

Approval of Resolution No. 1213-34, Week of the School Administrator.

**Week of the School
Administrator
Agenda Item 8**

Readmission of students from expulsion: Case #2010-127, #2012-039, #2012-053, #2012-060, #2012-070, #2012-071, #2012-079, and #2012-086.	Expulsion Readmissions Agenda Item 9
Petition to waive California Education Code §60851(a) and Board Policy 6162.52 – California High School Exit Examination: case numbers 1213-006 through 1213-015.	CAHSEE Waivers Agenda Item 10
Local Educational Agency (LEA) Plan 2012-2015.	LEA Plan Agenda Item 11
Memorandum of Understanding (MOU) with Power of Discovery: STEM ² .	MOU with Power of Discovery STEM² Agenda Item 12
Ratification of Income Agreement No. 39114 with the Orange County Superintendent of Schools to provide English Language Development Standards training for elementary and secondary instructional coaches.	Income Agreement Agenda Item 13
Approval and ratification of Income Agreement No. 39143 with the Orange County Superintendent of Schools to provide Scaffolding for English learners training for elementary and secondary instructional coaches.	Income Agreement Agenda Item 14
Purchase orders, warrants, and previously Board-approved bids and contracts as listed.	Purchase Orders/Warrants Agenda Item 15
Ratification of District standardized Independent Contractor, Master Contract, and Professional Services Agreements.	Professional Services Agreements Agenda Item 17
Ratification of special education Informal Dispute Resolution Agreement Case #12913.	Informal Dispute Resolution Agreement Agenda Item 18
Personnel Reimbursement Agreement with Laguna Beach Unified School District (LBUSD) to provide 20 days of instruction by a qualified Orientation and Mobility Specialist to LBUSD during the 2012-2013 regular school year.	Personnel Reimbursement Agreement Agenda Item 19
Agreement for Construction Management/Owner’s Representative Services with Edenco, Incorporated to provide services related to the construction of the lunch pavilion at Capistrano Valley High School.	Construction Management/ Owner’s Rep. Service Agenda Item 20
Agreement for Architectural and Related Services with WLC Architects, Incorporated (WLC) to provide services related to the design and construction of the lunch pavilions at Capistrano Valley High School.	Architectural and Related Services Agenda Item 21
E-Rate application for 2013-2014.	E-Rate Application Agenda Item 22

Services and Support Agreement for 2013-2014 with Quintessential School Systems (QSS).

**Services and Support Agreement
Agenda Item 23**

Ratification of Change Orders No. 16 and No. 17 related to the construction of the Capistrano Valley High School Performing Arts Center.

**Change Orders No. 16 and No. 17
CVHS Performing Arts Center
Agenda Item 24**

Independent Contractor Agreement, Request for Proposal No. 5-1213, with Contemporary Services Corporation to provide event security services for the District's six high schools.

**Independent Contractor Agreement
Agenda Item 25**

Extension of the agreement for surveying and construction engineering services to be provided by Guida Surveying, Incorporated.

**Construction Engineering Services
Agenda 26**

Amendment to Agreement Bid No. 1011-14 for grocery products with A&R Wholesale Distributors, Incorporated, increasing the "not to exceed" amount to \$77,000 annually for additional grocery products required due to menu changes related to USDA regulation.

**Amendment to Agreement for Grocery Products
Agenda 27**

Authorization to utilize the State of California Multiple Award Schedule Contract No. 3-06-70-2070D, General Services Administration schedule GS-35F-0294S, to purchase various brands of technology equipment, software, services, installation, and maintenance of equipment and repair services from Digital Networks Group, Incorporated, under the same terms and conditions of the public agency's contract.

**Multiple Award Schedule Contract
Agenda Item 28**

Resignations, retirements, and employment of classified personnel.

**Resignations/Retirements/
Employment (Classified Personnel)
Agenda Item 29**

Resignations, retirements, and employment of certificated personnel.

**Resignations/Retirements/
Employment (Certificated Personnel)
Agenda Item 30**

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

Trustee Addonizio asked if staff could determine how much money and gifts the Booster Clubs have donated in the last fiscal year to the schools. Dr. Farley responded that staff could contact sites for this information and provide an estimated guess once the information is compiled. Dr. Farley suggested the District begin tracking this information and prepare an annual year-end report.

**Donations
Agenda Item 16**

It was moved by Trustee Addonizio, seconded by Trustee Hatton, and motion carried by a 6-0 vote to approve donation of equipment.

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

Trustee Reardon asked staff how the District tracks and monitors that all temporary athletic coaches have met the qualifications and competencies required and remain compliant. Assistant Superintendent Jodee Brentlinger responded that Human Resource staff maintains a database with information on personnel licenses, certificates, and expiration dates for CPR and first aid certification. With the assistance of the TIS department this information is provided to all athletic directors and school principals who monitor that all requirements are met and renewed.

**Certification of Temporary Athletic Coaches
Agenda Item 31**

It was moved by Trustee Reardon, seconded by Trustee Addonizio, and motion carried by a 6-0 vote to approve the certification that all temporary athletic coaches have met the qualifications and competencies required in Title V §5593 of the California Code of Regulations.

Trustee Reardon stated his concerns regarding this item were addressed in staff's response to the previous item.

**Authorization of Coaches to Provide PE Credit
Agenda Item 32**

It was moved by Trustee Reardon, seconded by Trustee Hatton, and motion carried by a 5-1 vote to approve authorization of teachers who are credentialed in subjects other than physical education (PE) to provide PE credit to students in that respective sport.


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

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

Adjournment

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

President Alpay announced the meeting adjourned at 7:49 p.m.



Board Clerk



Secretary, Board of Trustees