

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

BOARD OF TRUSTEES  
Regular Meeting

**Teleconferencing of Meeting**  
**From**  
**33122 Valle Road**  
**San Juan Capistrano, CA 92675**  
**To**  
**1401 Pennsylvania Ave. NW**  
**Washington, DC 20004**

October 23, 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 LEGAL COUNSEL – EXISTING LITIGATION      EXHIBIT 3A**

Number of Cases – One  
Office of Administrative Hearings  
Case Number 2013080582  
(Pursuant to Government Code §54956)

**B. CONFERENCE WITH LABOR NEGOTIATORS**

Dr. Joseph M. Farley/Jodee Brentlinger/Clark Hampton  
Employee Organization:  
1) Capistrano Unified Education Association (CUEA)  
2) California School Employees Association (CSEA)  
3) Teamsters  
4) Unrepresented Employees (CUMA)  
(Pursuant to Government Code §54957.6)

**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**

*SJHHS Principal Tom Ressler – City of San Juan Capistrano Educator of the Year  
Barbara Cummings and Debbie Carver – Capistrano Valley Assistance League*

**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. RECOMMENDATION OF TENTATIVE AGREEMENT WITH TEAMSTERS, LOCAL 952 FOR JULY 1, 2013 – JUNE 30, 2014:**

The purpose of this agenda item is to seek approval of the Tentative Agreement between the District and Teamsters, Local 952. In addition to the Tentative Agreement, the Public Disclosure of Collective Bargaining Agreement is included in the exhibit. The total estimated fiscal impact of this agreement is an estimated savings to the District of approximately \$130,000 for the 2013 – 2014 fiscal year, which represents Teamsters' portion of targeted budget reductions.

***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 the Tentative Agreement with Teamsters for July 1, 2013 – June 30, 2014.

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

DISCUSSION/  
ACTION

Page 1

**EXHIBIT 1**

**2. LOCAL CONTROL FUNDING FORMULA OVERVIEW:**

The Board will receive information about the Local Control Funding Formula (LCFF) and the required Local Control Accountability Plan (LCAP) that must be adopted by June 30, 2014. The LCFF is replacing the Revenue Limit Funding model and nearly all state categorical programs, with base funding equal for all school districts. It also includes additional targeted funding for supporting students who are English learners, and/or qualify for the Federal Free and Reduced Price Meal Program, and/or are foster youth. Integral to the LCFF is the LCAP as outlined in Education Code §§52060-52077. With the goal of balancing state oversight and local control, Education Code §§52060-52077 detail the process school districts must follow, using a State Board of Education template, to adopt a LCAP.

INFORMATION/  
DISCUSSION

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**EXHIBIT 2**

The PowerPoint presentation will be posted online on the District Board Agendas and Supporting Documentation page on Friday, October 18, 2013.

***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 information on this item and answer any questions Trustees may have. This is an information item only and no Board action is necessary.

**3. DIVISION OF STATE ARCHITECT UPDATE:**

Update of the Division of State Architect construction projects. There will be a fee to reopen any closed applications, architectural fees for redrawing plans for DSA approval, and if needed, construction costs for any work not yet completed.

***CUSD Strategic Plan Pillar 2: Safe and Healthy Schools***

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

Staff Recommendation:

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

INFORMATION/  
DISCUSSION  
Page 9  
**EXHIBIT 3**

**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 October 9, 2013, regular Board meeting.

**Contact:** *Jane Boos, Manager, Board Office Operations*

Page 25  
**EXHIBIT 4**

**CURRICULUM & INSTRUCTION**

**5. GRAY WHALE FOUNDATION PARTNERSHIP MEMORANDUM OF UNDERSTANDING:**

Approval of the Gray Whale Foundation (GWF) Partnership Memorandum of Understanding (MOU). This item presents a MOU between the GWF and the District. The District and GWF collaboratively developed a comprehensive Common Core, project-based Science, Technology, Engineering and Math (STEM) unit focusing on gray whales, to be voluntarily implemented in fourth and fifth grade classrooms. This MOU addresses the funding of assemblies and field trips to support the Gray Whale STEM unit.

***CUSD Strategic Plan Pillar 1: Community Relations***

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

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

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**EXHIBIT 5**

## **BUSINESS & SUPPORT SERVICES**

### **6. PURCHASE ORDERS, COMMERCIAL WARRANTS, AND PREVIOUSLY BOARD-APPROVED BIDS AND CONTRACTS:**

Page 33  
**EXHIBIT 6**

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 \$3,449,969.76 and the commercial warrants total \$5,948,019.05. 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*

### **7. DONATION OF FUNDS AND EQUIPMENT:**

Page 59  
**EXHIBIT 7**

Approval of donations of funds and equipment. A number of gifts have been donated to the District, including \$128,335.63 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*

### **8. INDEPENDENT CONTRACTOR, PROFESSIONAL SERVICES, FIELD SERVICE, AND MASTER CONTRACT AGREEMENTS:**

Page 61  
**EXHIBIT 8**

Approval of the District standardized Independent Contractor, Professional Services, Master Contract, and Field Service 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 exhibit shows two new agreements totaling \$14,000, eight new agreement ratifications totaling \$178,941.43, one amendment to an existing agreement totaling \$50,000, and one amendment ratification to an existing agreement with no financial impact.

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*

### **9. SPECIAL EDUCATION INFORMAL DISPUTE RESOLUTION:**

Approval of special education Informal Dispute Resolution Agreement Case #081213. 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*

### **10. SPECIAL EDUCATION SETTLEMENT AGREEMENTS:**

Approval of the ratification of special education Settlement Agreement Case #2013080961 and Informal Dispute Resolution Agreement Cases #066513, #091513, and #091713. 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*

11. **PERSONNEL REIMBURSEMENT AGREEMENT WITH LAGUNA BEACH UNIFIED SCHOOL DISTRICT:** Page 109  
**EXHIBIT 11**  
Approval of a Personnel Reimbursement Agreement with Laguna Beach Unified School District (LBUSD) to provide five days of instruction by a qualified Orientation and Mobility Specialist to LBUSD during the 2013-2014 regular school year. District staff has provided these services to LBUSD from the time both districts were part of the South Orange County Special Education Local Plan Area. LBUSD will pay the employee salary and benefit costs for the days of instruction.  
*CUSD Strategic Plan Pillar 5: Effective Operations*  
*Contact: Sara Jocham, Assistant Superintendent, SELPA and Special Education Operations*
12. **PERSONNEL REIMBURSEMENT AGREEMENT WITH SADDLEBACK VALLEY UNIFIED SCHOOL DISTRICT:** Page 113  
**EXHIBIT 12**  
Approval of a Personnel Reimbursement Agreement with Saddleback Valley Unified School District (SVUSD) to provide 40 days of instruction by a qualified Orientation and Mobility Specialist to SVUSD during the 2013-2014 regular school year. District staff has provided these services to SVUSD from the time both districts were part of the South Orange County Special Education Local Plan Area. SVUSD will pay the employee salary and benefit costs for the days of instruction.  
*CUSD Strategic Plan Pillar 5: Effective Operations*  
*Contact: Sara Jocham, Assistant Superintendent, SELPA and Special Education Operations*
13. **CHROME OS FOR ENTERPRISE LICENSE AGREEMENT – GOOGLE, INCORPORATED:** Page 117  
**EXHIBIT 13**  
Approval of the Chrome OS for Enterprise License Agreement with Google, Incorporated to prepare for the potential of adopting the Google Chromebook laptop, as well as to support the OC Register Chromebook Initiative. The District is examining the educational value of the laptop and the need to develop a District Google domain. In order to register a Google domain and effectively test the laptops, the District must execute the license agreement. The domain will allow Technology and Information Services the ability to create student and staff accounts, as well as the ability to manage some of the security and setup of the system. E-mail would not be activated for students at this time. The Board will be updated regularly regarding the use of this program. There is no financial implication related to this agreement.  
*CUSD Strategic Plan Pillar 5: Effective Operations*  
*Contact: Clark Hampton, Deputy Superintendent, Business and Support Services*
14. **CONTRACT FOR AUDITING – VAVRINEK, TRINE, DAY & CO., LLP:** Page 133  
**EXHIBIT 14**  
Ratification of the Contract for Auditing with Vavrinek, Trine, Day & Co., LLP to provide annual audit services for fiscal years ending June 30, 2014; June 30, 2015; and June 30, 2016. State law requires each school district in California to have an annual audit conducted by a state-certified independent auditor. The audit is conducted according to generally accepted auditing standards, and specific guidelines and procedures set by the State Controller’s Office. The term of this agreement is for three years from July 1, 2013, to June 30, 2016. The maximum annual fee for auditing services under this contract shall not exceed \$80,000, funded by the general fund.  
*CUSD Strategic Plan Pillar 5: Effective Operations*  
*Contact: Clark Hampton, Deputy Superintendent, Business and Support Services*

**15. ORDER FORM, NAVIANCE SOFTWARE, AND PROFESSIONAL SERVICES – HOBSONS:**

Page 145  
**EXHIBIT 15**

Ratification of the Order Form to purchase Naviance Software and professional services from Hobsons, as outlined in proposal dated September 20, 2013. The software system will save site staff time and money, while better supporting students in seeking options for college and career. This program will provide students support in developing college and career plans, including exploring areas of interest and scholarship opportunities; streamlining the college application process for students and families; enhancing workflow and productivity for school academic advisors, teachers, and administrators; and managing the collection, transmission, and analysis of data for students and high schools. The term of this agreement is five years. The total contract amount is \$269,950, plus travel expenses associated with onsite professional development and consulting services, with the annual payments outlined on the Order Form. The approximate rate per student is \$2.92, funded by the general fund.

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

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

**16. LICENSING AGREEMENT – DOCUMENT TRACKING SERVICES:**

Page 165  
**EXHIBIT 16**

Ratification of the Licensing Agreement with Document Tracking Services to provide a web-based application to complete Single Plan for Student Achievement School Accountability Report Card reports and document translation services. The term of this agreement is for one year, not-to-exceed \$13,740, funded by School Library Improvement Block Grant funds.

*CUSD Strategic Plan Pillar 5: Effective Operations*

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

**17. REJECTION OF BID NO. 1314-09, CO-CURRICULAR BUS SERVICE:**

Rejection of all bids submitted for co-curricular bus service. During the bid process, the District implemented a new e-mail filter solution during which time legitimate messages were inadvertently blocked and placed in a spam archive. Access to legitimate bid messages were retrieved after the advertised Requests for Information deadline. Co-curricular bus service will be re-bid. Per the Public Contract Code §20111, districts may reject all bids for any reason and at any time before the bid has been awarded. The Board has the discretion and ability to award the contract or reject all bids.

*CUSD Strategic Plan Pillar 5: Effective Operations*

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

**18. VAL VERDE UNIFIED SCHOOL DISTRICT BID NO. 12/13-001 FOR JUST-N-TIME CLASSROOM AND OFFICE SUPPLY SYSTEM – SOUTHWEST SCHOOL AND OFFICE SUPPLIES:**

Approval to utilize the Val Verde Unified School District Bid No. 12/13-001 for the purchase of classroom and office supplies from Southwest School and Office Supplies, under the same terms and conditions of the public agency's contract. This contract provides competitive set pricing for classroom and office supplies, as needed, throughout the District. Anticipated annual expenditures utilizing this contract are approximately \$400,000, funded by the various departments and schools requesting products. School boards have the authority to "piggyback" on another public agency's bid, per Public Contract Code §20118, when it is in the best interest of a district. It is often advantageous to utilize piggyback bids when contract items are identical to the District's specifications. Using piggyback contracts saves time and often provides lower prices than a single jurisdiction would be able to obtain.

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*

**PERSONNEL SERVICES**

19. **RESIGNATIONS/RETIREMENTS/EMPLOYMENT – CLASSIFIED EMPLOYEES:** Page 169  
**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 177  
**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. **FIRST QUARTER SITE REVIEW REPORT REQUIRED BY THE WILLIAMS SETTLEMENT LEGISLATION, 2013-2014 SCHOOL YEAR:** Page 183  
**EXHIBIT 21**  
Acceptance of Williams Settlement First Quarter Site Review 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. 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 for the first quarter.  
*CUSD Strategic Plan Pillar 5: Effective Operations*  
*Contact: Jodee Brentlinger, Assistant Superintendent, Personnel Services*
22. **AUTHORIZATION OF COACHES TO PROVIDE FIRST SEMESTER PHYSICAL EDUCATION CREDIT:** Page 185  
**EXHIBIT 22**  
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 PE credit to students. State law requires that such teachers be full-time employees of a district, are current with CPR, First Aid Certification, Concussion Training, and approved by the Board of Trustees. It has been determined that all teachers who do not hold a PE 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 Certification and Concussion Training. Coaching stipends are budgeted and funded through the general fund or booster club donations. There is no financial impact.  
*CUSD Strategic Plan Pillar 5: Effective Operations*  
*Contact: Jodee Brentlinger, Assistant Superintendent, Personnel Services*

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

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

ROLL CALL:

Student Advisor Leilah Rodriguez \_\_\_\_

Trustee Addonizio \_\_\_\_\_

Trustee Bryson \_\_\_\_\_

Trustee Hanacek \_\_\_\_\_

Trustee Hatton \_\_\_\_\_

Trustee Pritchard \_\_\_\_\_

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, NOVEMBER 6, 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.*