

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

BOARD OF TRUSTEES  
Regular Meeting

September 11, 2013

Closed Session 5:30 p.m.

Open Session 7:00 p.m.

**AGENDA**

**CLOSED SESSION AT 5:30 P.M.**

**1. CALL TO ORDER**

**2. CLOSED SESSION COMMENTS**

**3. CLOSED SESSION (as authorized by law)**

- A. COMPLAINT AGAINST AN UNREPRESENTED PUBLIC EMPLOYEE AND/OR PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE** **EXHIBIT 3A**  
*(Pursuant to Government Code §54950 & §54957)*
- B. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION** **EXHIBIT 3B**  
One Potential Case  
Certificated Employee v. Capistrano Unified School District  
*(Pursuant to Government Code §54956.9(b))*
- C. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION** **EXHIBIT 3C**  
Number of Cases – One  
Office of Administrative Hearings  
Case Number 2013070483  
*(Pursuant to Government Code §54956.)*
- D. CONFERENCE WITH LABOR NEGOTIATORS**  
Dr. Joseph M. Farley/Jodee Brentlinger/Clark Hampton/Jon Pearl  
Employee Organizations:  
1) Capistrano School Employees Association (CSEA)  
2) Teamsters  
*(Pursuant to Government Code §54957.6)*

**PUBLIC HEARING:**

**Agenda Item #1 Expenditure Plan for One-Time Funds for Common Core State Standards**

**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**

*Kyra Brandt - Heroic Rescue*

**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.

**PUBLIC HEARING**

1. **PUBLIC HEARING – EXPENDITURE PLAN FOR ONE-TIME FUNDS FOR COMMON CORE STATE STANDARDS:** INFORMATION/  
DISCUSSION
- The Board will conduct a public hearing on the expenditure plan for one-time funds for Common Core State Standards. Supporting information is located in Exhibit 2.  
*CUSD Strategic Plan Pillar 3: Academic Achievement & Enrichment*  
*Contact: Joseph M. Farley, Superintendent*

Staff Recommendation

It is recommended the Board President open the public hearing, determine if members of the public have submitted requests to speak on the item, and after hearing any speakers, formally close the public hearing.

2. **EXPENDITURE PLAN FOR ONE-TIME FUNDS FOR COMMON CORE STATE STANDARDS:** INFORMATION/  
DISCUSSION  
Page 1  
**EXHIBIT 2**
- The state budget allocated \$1.25 billion statewide in one-time funds for the implementation of the Common Core State Standards. The District will receive approximately \$10 million in one-time revenue to be spent in 2013-2014 and 2014-2015 on professional development, instructional materials, and technology. As a condition of receipt of the funds, each district must adopt a spending plan after considering public input on how the one-time funding should be allocated. On or before July 1, 2015, a report must be filed with the California Department of Education detailing the specific purchases made to support the spending plan.  
*CUSD Strategic Plan Pillar 3: Academic Achievement & Enrichment*  
*Contact: Joseph M. Farley, Superintendent*

Staff Recommendation

It is recommended the Board President recognize Julie Hatchel, Assistant Superintendent, Education Services, Elementary, 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.

**DISCUSSION/ACTION ITEMS**

**3. ~~RECOMMENDATION OF TENTATIVE AGREEMENT WITH CALIFORNIA SCHOOL EMPLOYEES ASSOCIATION, CHAPTER 224 FOR JULY 1, 2013-JUNE 30, 2015:~~**

DISCUSSION/  
ACTION  
Page 19  
**EXHIBIT 3**

~~The purpose of this agenda item is to seek approval of the Tentative Agreement between the District and the California School Employees Association, Chapter 224 (CSEA). In addition to the Tentative Agreement, the Public Disclosure of Collective Bargaining Agreement is attached. The total estimated fiscal impact of this agreement is an estimated savings to the District of approximately \$2.5 million for the 2013-2014 fiscal year which represents CSEA's portion of targeted budget reductions.~~

**Pulled on 9/6**

~~*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, who will present this item and answer any questions Trustees may have. Following discussion, it is recommended the Board of Trustees approve the Tentative Agreement with CSEA for July 1, 2013-June 30, 2015.~~

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

**4. RESOLUTION NO. 1314-17 - PRELIMINARY 2012-2013 FINANCIAL STATEMENTS (UNAUDITED ACTUALS):**

DISCUSSION/  
ACTION  
Page 21  
**EXHIBIT 4**

The Board of Trustees will be provided with a brief update on the 2012-2013 actuals and the revisions to the 2013-2014 budget. Resolution No. 1314-17 will be forwarded to the Orange County Department of Education, reviewed for accuracy and compliance and subsequently transmitted to the Superintendent of Public Instruction.

*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 approve Resolution No. 1314-17, Preliminary 2012-2013 Financial Statements (Unaudited Actuals).

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

ROLL CALL:

Student Advisor Leilah Rodriguez

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

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

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

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

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

Trustee Reardon \_\_\_\_\_

Trustee Alpay \_\_\_\_\_

**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

### 5. **SCHOOL BOARD MINUTES:**

Approval of the minutes of the August 28, 2013, regular Board meeting.  
*Contact: Jane Boos, Manager, Board Office Operations*

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**EXHIBIT 5**

## BUSINESS & SUPPORT SERVICES

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

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 \$3,191,861.78 and the commercial warrants total \$6,167,117.97. 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*

Page 221  
**EXHIBIT 6**

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

Approval of donations of funds and equipment. A number of gifts have been donated to the District, including \$42,543.89 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*

Page 243  
**EXHIBIT 7**

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

Approval of the District standardized Independent Contractor, Professional Services and Master Contract 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 agreement totaling \$17,400, 11 ratifications to new agreements totaling \$803,152.87, and one extension to existing agreements totaling \$9,000.

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*

Page 245  
**EXHIBIT 8**

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

Approval of the ratification of special education Informal Dispute Resolution Agreement Case #066413 and Case #070213. 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*

10. **SPECIAL EDUCATION SETTLEMENT AGREEMENT:**  
 Approval of the ratification of special education Settlement Agreement Case #2013070190. 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*
11. **RESOLUTION NO. 1314-18 – AUTHORIZING THE INCREASE/DECREASE IN APPROPRIATIONS FOR THE FISCAL YEAR ENDING 2012-2013:**  
 Approval of Resolution No. 1314-18 Authorizing the Increase and Decrease in Appropriations for the Fiscal Year ending 2012-2013. Resolution No. 1314-18 will adjust the budget approved at third interim 2012-2013 to final unaudited actuals budgets.  
*CUSD Strategic Plan Pillar 5: Effective Operations*  
*Contact: Clark Hampton, Deputy Superintendent, Business and Support Services* Page 291  
EXHIBIT 11
12. **RESOLUTION NO. 1314-19 – ADOPTING THE 2012-2013 ACTUAL GANN LIMIT AND THE 2013-2014 ESTIMATED GANN LIMIT:**  
 Approval of Resolution No. 1314-19 adopting the 2012-2013 actual Gann Limit and the 2013-2014 estimated Gann Limit. Resolution No. 1314-19 establishes the actual Gann Limit for 2012-2013 at \$267,286,520.74 and the estimated Gann Limit for 2013-2014 at \$280,325,355.94. Approval of this resolution will have no financial implications on either the 2012-2013 or 2013-2014 budgets.  
*CUSD Strategic Plan Pillar 5: Effective Operations*  
*Contact: Clark Hampton, Deputy Superintendent, Business and Support Services* Page 297  
EXHIBIT 12
13. **RESOLUTION NO. 1314-20 – REAPPROPRIATION OF CARRYOVER FUNDS:**  
 Approval of Resolution No. 1314-20 Authorizing the Reappropriation of Carryover Funds. Resolution No. 1314-20 authorizes the reappropriation of carryover income and associated expenditures for the 2013-2014 fiscal year based on final unaudited balances for the 2012-2013 fiscal year. The carryover income and expenditures will adjust balances adopted in June 2013.  
*CUSD Strategic Plan Pillar 5: Effective Operations*  
*Contact: Clark Hampton, Deputy Superintendent, Business and Support Services* Page 303  
EXHIBIT 13
14. **RATIFICATION INDEPENDENT CONTRACTOR AGREEMENT FOR SPECIAL SERVICES – SCHOOLMESSENGER BY RELIANCE COMMUNICATIONS, LLC:**  
 Ratification of Independent Contractor Agreement for Special Services with Reliance Communications, LLC to provide the SchoolMessenger mass notification system to support the District in its ability to generate more than one million messages annually via phone, text, and e-mail to the community. This contractor was chosen through the request for proposal process and Board approved on August 14, 2013. The contractor will provide services at the rates indicated in the agreement. The term of this agreement is August 15, 2013, through August 14, 2014. Expenditures under this contract are limited to \$67,500 annually, paid by School and Library Improvement Block Grant funds. The District has the ability to add SchoolMessenger Custom Mobile Apps for an additional cost of \$.25 per student as an amendment to the contract.  
*CUSD Strategic Plan Pillar 1: Community Relations*  
*CUSD Strategic Plan Pillar 4: Safe & Healthy Schools*  
*CUSD Strategic Plan Pillar 5: Effective Operations*  
*Contact: Clark Hampton, Deputy Superintendent, Business and Support Services* Page 307  
EXHIBIT 14

**15. INCOME AGREEMENT – ORANGE COUNTY SUPERINTENDENT OF SCHOOLS:**

Page 321  
**EXHIBIT 15**

Ratification of Income Agreement No. 39534 with Orange County Superintendent of Schools to furnish a Special Circumstance Assistance instructor to provide intensive instruction behavioral services for District students attending TEC/Canal Street, a non-public school. The contractor will provide services at the rates indicated in the agreement. The term of this agreement is May 28, 2013, through July 31, 2013. Expenditures under this contract are limited to \$7,521.48, paid by special education funds.

*CUSD Strategic Plan Pillar 3: Academic Achievement*

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

**16. AWARD REQUEST FOR PROPOSALS NO. 2-1314, HIGH SCHOOL PRODUCTS AND SENIOR SERVICES, JOSTENS:**

Page 327  
**EXHIBIT 16**

Approval of the award of Request for Proposals No. 2-1314, High School Products and Senior Services to Jostens. Four companies submitted proposals on May 30, 2013, and attended the mandatory Vendor Showcase held June 6, 2013, to highlight products and services. In order to evaluate and compare products, the District requested samples and pricing for the most commonly purchased items. Three companies submitted the samples for evaluation. Jostens was selected to provide high school products and senior services based on the evaluation of the quality of the products and the pricing. A summary of the pricing is shown in the attached exhibit. This contract will standardize and set pricing for items typically paid for by students, such as caps and gowns, class rings, and graduation announcements for all high schools in the District. The District purchases the diplomas and inserts at a cost of approximately \$15,000 annually. The proposals, evaluation criteria, and rating sheets are available in the Purchasing Department for review. For more information, please contact Terry Fluent, Director, Purchasing, at 234-9436.

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

*CUSD Strategic Plan Pillar 5: Effective Operations*

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

**17. AMENDMENT TO AGREEMENT BID NO. 1112-10, TREE TRIMMING MAINTENANCE SERVICE, WEST COAST ARBORISTS, INCORPORATED:**

Page 329  
**EXHIBIT 17**

Approval of the Amendment to Agreement Bid No. 1112-10 for tree trimming maintenance service with West Coast Arborists, Incorporated increasing the “not to exceed” amount to \$250,000 for additional services as requested by the District. Expenditures will be funded from the deferred maintenance and routine restricted maintenance accounts.

*CUSD Strategic Plan Pillar 5: Effective Operations*

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

**PERSONNEL SERVICES**

**18. RESIGNATIONS/RETIREMENTS/EMPLOYMENT – CLASSIFIED EMPLOYEES:**

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**EXHIBIT 18**

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*

**19. 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**

Motion by _____	Seconded by _____
ROLL CALL:	
Student Advisor Leilah Rodriguez	
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, September 25, 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.*