

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

BOARD OF TRUSTEES
Regular Meeting

November 12, 2014

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. PUBLIC EMPLOYEE APPOINTMENT/EMPLOYMENT** **EXHIBIT A**
Executive Director, Purchasing and Contracts
(Pursuant to Government Code §54957)
 - B. PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE** **EXHIBIT B**
(Pursuant to Government Code §54957)
 - C. CONFERENCE WITH LEGAL COUNSEL—ANTICIPATED LITIGATION** **EXHIBIT C**
Significant Exposure to Litigation – Two Cases
(Pursuant to Government Code §54956.9)
 - D. CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION** **EXHIBIT D**
Neighborhood Schools for Our Kids v. Capistrano Unified School District
Orange County Superior Court No. 05CC07288
(Pursuant to Government Code §54956.9)
 - E. CONFERENCE WITH LABOR NEGOTIATORS**
Kirsten M. Vital/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)
 - F. PUBLIC EMPLOYEE PERFORMANCE EVALUATION** **EXHIBIT F**
Superintendent
(Pursuant to Government Code §54957)

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

Lisa Barguemo – Las Palmas Elementary School Crossing Guard

TRUSTEE RECOGNITIONS

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. SAFETY PRACTICES AND PROCEDURES REPORT:

The District has always made safety a top priority. Due to the recent media events at Oak Grove Elementary School staff has prepared a report regarding the District's safety practices and procedures. Staff is constantly reevaluating our practice and systems. Lessons are learned with each incident we encounter, prompting improvements in our program. The intent of this presentation is to inform the Board on what is currently in place and what recent changes have been made. We will review the District's four-step process in ensuring student safety: prevention, preparation, response, and recovery.

CUSD Strategic Plan Pillar 2: Safe and Healthy Schools

Contact: Michelle Le Patner, Assistant Superintendent, Education Services, Secondary

Staff Recommendation

It is recommended the Board President recognize Michelle Le Patner, Assistant Superintendent, Education Services, Secondary, 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. DISTRICT GOALS AND OBJECTIVES:

At the October 22, 2014, Board meeting, Trustees received a PowerPoint presentation on the Superintendent's recommendation for the 2014-2015 District goals and objectives. This item provides the Board the opportunity to further discuss the 2014-2015 District goals and objectives and provide direction to the Superintendent.

CUSD Strategic Plan Pillar 5: Effective Operations

Contact: Kirsten M. Vital, Superintendent

Staff Recommendation

It is recommended the Board President recognize Kirsten M. Vital, Superintendent, to present this item.

DISCUSSION/
ACTION
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EXHIBIT 2

Following discussion, it is recommended the Board of Trustees approve the 2014-2015 District Goals and Objectives.

Motion by _____ Seconded by _____

3. SECOND READING – REVISIONS TO BOARD BYLAW 9324, BOARD MINUTES:

As staff reviews Board Policy and Bylaws for revisions, small inconsistencies are also being corrected. During the first reading of the revisions to Board Bylaw 9324, *Board Minutes* on October 22, 2014, Trustee Reardon requested additional revisions to this policy for clarification. Changes are underlined; deletions are struck through. There is no financial impact.

CUSD Strategic Plan Pillar 5: Effective Operations

Contact: Kirsten M. Vital, Superintendent

Staff Recommendation

It is recommended the Board President recognize Kirsten M. Vital, Superintendent, to present this item.

Following discussion, it is recommended the Board of Trustees approve the revisions to Board Bylaw 9324, *Board Minutes*.

Motion by _____ Seconded by _____

4. FIRST READING – REVISIONS TO BOARD POLICY 1330, USE OF SCHOOL FACILITIES:

As changes occur in Education Code or precedent-setting lawsuits, it becomes necessary to update policies. Revised Board Policy 1330, *Use of School Facilities*, is to provide the District, the Board, and employees with up-to-date information to ensure the District meets legal provisions surrounding the use of District facilities by community groups for purposes other than conduct of the instructional program. There is no financial impact. Changes are underlined; deletions are struck through.

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.

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 October 22, 2014, regular Board meeting.

Contact: Jane Boos, Manager, Board Office Operations

DISCUSSION/
ACTION

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EXHIBIT 3

INFORMATION/
DISCUSSION

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EXHIBIT 4

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EXHIBIT 5

CURRICULUM & INSTRUCTION

6. EXPULSION READMISSIONS:

Approval to readmit students from expulsion. Due to the confidential nature of this item, the supporting information for this item is provided to Trustees under separate cover.

CUSD Strategic Plan Pillar 2: Safe and Healthy Schools

Contact: Michelle Le Patner, Assistant Superintendent, Education Services, Secondary

7. PETITION TO WAIVE CALIFORNIA HIGH SCHOOL EXIT EXAM:

Approval to waive California Education Code §60851(c) and Board Policy 6162.52 for three students who have completed all requirements for passing the California High School Exit Examination (CAHSEE) subtest in Mathematics and/or English/Language Arts, case numbers 1415-001 to 1415-003. California Education Code §60851(c) and Board Policy 6162.52 provide authority for the Board of Trustees to review and approve waivers for special education students to pass the CAHSEE with modifications stated in the pupil's Individualized Education Program. Supporting information is provided to Trustees under separate cover to protect the student's rights under the Family Educational Rights and Privacy Act. There is no financial impact.

CUSD Strategic Plan Pillar 3: Academic Achievement & Enrichment

Contact: Michelle Le Patner, Assistant Superintendent, Education Services, Secondary

8. RESOLUTION NO. 1415-23, AMENDMENTS TO AGREEMENT NO. CSPP-3313 WITH THE CALIFORNIA DEPARTMENT OF EDUCATION FOR CHILD DEVELOPMENT SERVICES:

Page 57
EXHIBIT 8

Approval of Resolution No. 1415-23, Amendments to Agreement No. CSPP-3313 with the California Department of Education for Child Development Services. This contract is a ratification of Amendment 01 to Contract No. CSPP-3313 with California Department of Education for Child Development Services. Amendment 01 decreases the minimum days of enrollment from 181 to 177 from July 1, 2013, to June 30, 2014, closing out final paperwork for the contract Agreement. This Agreement provides services related to preschool-age children to enhance optimal early childhood development and school readiness. There is no financial impact.

CUSD Strategic Plan Pillar 3: Academic Achievement & Enrichment

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

9. RESOLUTION NO. 1415-24, AGREEMENT CSPP-4309 RESOLUTION FOR ACCEPTANCE OF STATE FUNDED PRESCHOOL CONTRACT 2014-2015 WITH THE CALIFORNIA DEPARTMENT OF EDUCATION FOR THE PURPOSE OF PROVIDING CHILDCARE AND DEVELOPMENT SERVICES:

Page 73
EXHIBIT 9

Approval of Resolution No. 1415-24, Agreement CSPP-4309 Resolution for Acceptance of State Funded Preschool Contract 2014-2015 with the California Department of Education for the purpose of providing child care and development services. This Agreement provides a maximum reimbursement amount of \$2,210,692 from July 1, 2014, to June 30, 2015. The minimum days of operation include 180 school days. This Agreement provides services related to preschool-age children to enhance optimal early childhood development and school readiness in the "State-Funded" Early Childhood Program. There is no financial impact if the program operates at a minimal capacity level of student enrollment. The District's current enrollment within the State-Funded program is operating above minimum capacity levels.

CUSD Strategic Plan Pillar 3: Academic Achievement & Enrichment

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

BUSINESS & SUPPORT SERVICES

10. PURCHASE ORDERS, COMMERCIAL WARRANTS, AND PREVIOUSLY BOARD-APPROVED BIDS AND CONTRACTS:

Page 85
EXHIBIT 10

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 \$1,645,484.58 and the commercial warrants total \$10,262,945.54. 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

11. DONATION OF FUNDS AND EQUIPMENT:

Page 135
EXHIBIT 11

Approval of donations of funds and equipment. A number of gifts have been donated to the District, including \$498,384.61 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

12. INDEPENDENT CONTRACTOR, PROFESSIONAL SERVICES, FIELD SERVICE, AND MASTER CONTRACT AGREEMENTS:

Page 139
EXHIBIT 12

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 21 new agreements totaling \$362,445.03; six ratifications to new agreements totaling \$215,875; 16 extensions to existing agreements totaling \$443,131.64; two amendments to an existing agreement totaling \$91,500; and one amendment ratification to an existing agreement totaling \$17,000. 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 and 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

13. SPECIAL EDUCATION INFORMAL DISPUTE RESOLUTION AGREEMENTS:

Approval of the ratification of special education Informal Dispute Resolution Case #102414 and Case #102514. Due to the confidential nature of the Agreements, supporting information is provided to Trustees under separate cover. There is no financial impact.

CUSD Strategic Plan Pillar 3: Academic Achievement & Enrichment

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

14. SPECIAL EDUCATION SETTLEMENT AGREEMENT:

Approval of the ratification of special education Settlement Agreement Case #2014090017. Due to the confidential nature of the Agreement, supporting information is provided to Trustees under separate cover. Expenditures under this Agreement are limited to \$17,000, funded by special education funds.

CUSD Strategic Plan Pillar 3: Academic Achievement & Enrichment

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

15. **SETTLEMENT AGREEMENT AND RELEASE, S. J. AMOROSO CONSTRUCTION COMPANY, INCORPORATED AND SAFECO INSURANCE COMPANY OF AMERICA:**
Ratification of Settlement Agreement, effective July 21, 2014. Due to the confidential nature of the Agreement, supporting information is provided to Trustees under separate cover. There is no financial impact.
CUSD Strategic Plan Pillar 5: Effective Operations
Contact: Clark Hampton, Deputy Superintendent, Business and Support Services
16. **CONTRACT AGREEMENT – DEPUTY SUPERINTENDENT, BUSINESS AND SUPPORT SERVICES, JULY 1, 2015 – JUNE 30, 2018:** Page 349
EXHIBIT 16
Approval of the Contract Agreement Deputy Superintendent, Business and Support Services, for July 1, 2015 – June 30, 2018.
CUSD Strategic Plan Pillar 5: Effective Operations
Contact: Jodee Brentlinger, Assistant Superintendent, Personnel Services
17. **RESOLUTION NO. 1415-25, AUTHORIZATION TO APPLY FOR COMMUNITY SERVICE PROGRAM CERTIFICATION THROUGH THE DEPARTMENT OF RESOURCES RECYCLING AND RECOVERY:** Page 355
EXHIBIT 17
Approval of Resolution No. 1415-25, Authorization to Apply for Community Service Program (SP) Certification through the Department of Resources Recycling and Recovery (CalRecycle). Due to statewide fraud with the California Redemption Value (CRV) redemption, the state of California has implemented new rules requiring any person, operation, or entity be certified by CalRecycle when redeeming daily loads in excess of 100 pounds of plastic or aluminum. This Resolution will acknowledge the state’s CalRecycle program and authorize the Deputy Superintendent, Business and Support Services, to submit an application for SP status and certification. There is no financial impact.
CUSD Strategic Plan Pillar 5: Effective Operations
Contact: Clark Hampton, Deputy Superintendent, Business and Support Services
18. **LETTER OF AGREEMENT WITH VHS, INCORPORATED:** Page 357
EXHIBIT 18
Ratification of the Letter of Agreement with VHS, Incorporated, to provide an online AP World History course for California Preparatory Academy. The contractor will provide services at the rates indicated in the Agreement. The Agreement is for the 2014-2015 school year. Annual expenditures under this contract are limited to \$3,750, paid by the general fund.
CUSD Strategic Plan Pillar 3: Academic Achievement & Enrichment
Contact: Clark Hampton, Deputy Superintendent, Business and Support Services
19. **AGREEMENT FOR PARTICIPATION AND SERVICES 2014-2015 – OUTDOOR EDUCATION PROGRAM WITH THE SUPERINTENDENT OF SCHOOLS, SAN DIEGO COUNTY OFFICE OF EDUCATION:** Page 363
EXHIBIT 19
Ratification of the Agreement for Participation and Services 2014-2015, Outdoor Education Program, with the Superintendent of Schools, San Diego County Office of Education for the use and occupancy of outdoor education premises and facilities, as requested by the District. The contractor will provide services at the rates indicated in the Agreement. The fifth grade students at Las Palmas and Philip Reilly elementary schools are scheduled to participate in this outdoor science camp program. Expenditures under this contract are estimated to be \$100,000, paid by gift and foundation funds.
CUSD Strategic Plan Pillar 3: Academic Achievement & Enrichment
Contact: Clark Hampton, Deputy Superintendent, Business and Support Services

20. **MEMORANDUM OF UNDERSTANDING BETWEEN THE SOUTH LAGUNA NIGUEL ROTARY CLUB AND AYUDA INTERNATIONAL HEALTH MOBILE FOR DENTAL HEALTH OUTREACH:** Page 373
EXHIBIT 20
 Approval of the Memorandum of Understanding (MOU) between the South Laguna Niguel Rotary Club (Rotary), a California nonprofit corporation; sponsors; Ayuda International (Ayuda), a California nonprofit corporation; and the District for the purpose of providing comprehensive, free dental services to students, adults, and families referred by District staff. The agreement allows the Rotary, sponsors, and Ayuda to provide diagnostic, preventative, and restorative dental services, as well as instruction on the proper method of brushing and flossing. The District will provide space at Hidden Hills Elementary School, and the school will assist in providing notification to families of students regarding the onsite dental care services, parental permission slips, and other materials. Rotary and Ayuda have appropriate liability insurance and will hold the District harmless. There is no financial impact.
CUSD Strategic Plan Pillar 3: Academic Achievement & Enrichment
Contact: Clark Hampton, Deputy Superintendent, Business and Support Services
21. **ALISO VIEJO COMMUNITY ASSOCIATION LIMITED USE AND MAINTENANCE AGREEMENT FOR FALL 2014:** Page 375
EXHIBIT 21
 Ratification of the execution of the Aliso Viejo Community Association Limited Use and Maintenance Agreement (LUMA) for Fall 2014. The Aliso Viejo Community Association owns and maintains Foxborough Park, adjacent to Aliso Niguel High School. The Fall 2014 LUMA allows the District to use Foxborough Park from approximately early November until mid-December 2014 for a fee of \$300, as detailed in the LUMA. The Fall 2014 LUMA is similar to past years' agreements relating to the use of Foxborough Park.
CUSD Strategic Plan Pillar 5: Effective Operations
Contact: Clark Hampton, Deputy Superintendent, Business and Support Services
22. **SERVICE AGREEMENT WITH SOUTH COAST REGIONAL OCCUPATIONAL PROGRAM:** Page 387
EXHIBIT 22
 Ratification of the Service Agreement with South Coast Regional Occupational Program (ROP) to allocate a portion of the Orange County Career Pathways Partnership California Career Pathways Trust grant for services provided related to the grant and to establish the process for reimbursement. The District and South Coast Regional Occupation Program applied for and were awarded the grant together. The grant award is \$483,801 of which \$215,000 is allocated to ROP. Funds will be disbursed over the next five years. There is no financial impact.
CUSD Strategic Plan Pillar 3: Academic Achievement & Enrichment
Contact: Clark Hampton, Deputy Superintendent, Business and Support Services
23. **FINAL ACCEPTANCE AND FILING OF THE NOTICE OF COMPLETION FOR THE CAPISTRANO VALLEY HIGH SCHOOL LUNCH PAVILION AND MUSIC PLAZA – SANDERS CONSTRUCTION SERVICES, INCORPORATED:** Page 395
EXHIBIT 23
 Approval of the final acceptance and filing of the Notice of Completion for the construction of one retaining wall and concrete plaza, and three 30' x 60' shade structures at Capistrano Valley High School. Sanders Construction Services, Incorporated, provided services related to this project. All work has been inspected and completed to the satisfaction of District staff. The project was funded through Community Facilities District 87-1.
CUSD Strategic Plan Pillar 5: Effective Operations
Contact: Clark Hampton, Deputy Superintendent, Business and Support Services

24. FINAL ACCEPTANCE AND FILING OF NOTICE OF COMPLETION FOR THE INSTALLATION OF FIVE RELOCATABLE CLASSROOMS AT LADERA RANCH MIDDLE SCHOOL - SILVER CREEK INDUSTRIES, INCORPORATED; GILBERT AND STEARNS, INCORPORATED; PACIFIC PLUMBING COMPANY OF SANTA ANA; BEN'S ASPHALT; HARRIS STEEL FENCE COMPANY, INCORPORATED; ABOVE ALL NAMES CONSTRUCTION SERVICES, INCORPORATED; AND PACIFIC MOBILE HOME CONSTRUCTION, INCORPORATED:

Page 397
EXHIBIT 24

Approval of the final acceptance and filing of the Notice of Completion for the installation of five relocatable classrooms at Ladera Ranch Middle School. Silver Creek Industries, Incorporated; Gilbert And Stearns, Incorporated; Pacific Plumbing Company of Santa Ana; Ben's Asphalt; Harris Steel Fence Company, Incorporated; Above All Names Construction Services, Incorporated; and Pacific Mobile Home Construction, Incorporated, provided services related to this project. In order to obtain Division of State Architect closeout with certification, Notice of Completions are required. All work has been inspected and completed to the satisfaction of staff. Funded by Developer Fees.

CUSD Strategic Plan Pillar 5: Effective Operations

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

25. FINAL ACCEPTANCE AND FILING OF NOTICE OF COMPLETION FOR THE INSTALLATION OF TEN RELOCATABLE CLASSROOMS AND ONE RELOCATABLE RESTROOM AT SAN JUAN HILLS HIGH SCHOOL - SILVER CREEK INDUSTRIES, INCORPORATED; GILBERT AND STEARNS, INCORPORATED; PACIFIC PLUMBING COMPANY OF SANTA ANA; BEN'S ASPHALT; HARRIS STEEL FENCE COMPANY, INCORPORATED; AND ABOVE ALL NAMES CONSTRUCTION SERVICES, INCORPORATED:

Page 405
EXHIBIT 25

Approval of the final acceptance and filing of the Notice of Completion for the installation of ten relocatable classrooms and one relocatable restroom at San Juan Hills High School. Silver Creek Industries, Incorporated; Gilbert And Stearns, Incorporated; Pacific Plumbing Company of Santa Ana; Ben's Asphalt; Harris Steel Fence Company, Incorporated; and Above All Names Construction Services, Incorporated, provided services related to this project. In order to obtain Division of State Architect closeout with certification, Notice of Completions are required. All work has been inspected and completed to the satisfaction of staff. Funded by Developer Fees.

CUSD Strategic Plan Pillar 5: Effective Operations

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

26. AMENDMENT TO INDEPENDENT CONTRACTOR AGREEMENT NO. I1011014 WITH PLACEWORKS:

Page 411
EXHIBIT 26

Approval of Amendment No. 2 to Independent Contractor Agreement No. I1011014 for on-call California Environmental Quality Act Compliance (CEQA) services, as needed by the District. This contract is amended to increase the annual not-to-exceed amount to \$100,000, for additional services related to Esencia K-8 School, funded by Developer Fees. All other terms and conditions of the contract remain the same.

CUSD Strategic Plan Pillar 5: Effective Operations

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

27. AWARD BID NO. 1415-14, MOBILE SURVEILLANCE SYSTEM, SOFTWARE, AND INSTALLATION FOR SCHOOL BUSES, SEON SYSTEMS SALES, INCORPORATED:

Page 427
EXHIBIT 27

Approval of Award of Bid No. 1415-14, Mobile Surveillance System, Software, and Installation for School Buses to Seon Systems Sales, Incorporated. Fifteen vendors registered and downloaded documents; four bids were received and opened on September 22, 2014. The lowest bid for the system was submitted by 247 Security, Incorporated, but in some critical areas their product did not meet the minimum required specifications. The bid included very detailed, particular specifications because of the District's desire for specific system features, capabilities, and ability to integrate with the existing systems. The bid submitted by 247 Security, Incorporated, was deemed non-responsive because the minimum specifications and requirements were not met in some areas. Seon Systems Sales, Incorporated, is the lowest responsive, responsible bidder. This bid provides the District with a unit price for equipment, software, installation, and training for mobile surveillance systems, as needed by the District. The term of the base contract is November 13, 2014, through November 12, 2015, with two one-year renewal terms, at the option of the Board of Trustees. The total contract term is not-to-exceed three years. The initial expenditure to equip 74 buses utilizing this contract is approximately \$300,000, funded by District Medi-Cal funds and the general fund.

CUSD Strategic Plan Pillar 5: Effective Operations

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

28. EXTENSION OF INDEPENDENT CONTRACTOR AGREEMENT WITH ALPENSAPRUCE SOFTWARE, INCORPORATED:

Page 461
EXHIBIT 28

Approval of the Extension of Independent Contractor Agreement No. I1112088 with AlpenSpruce Software, Incorporated, to provide services related to the development, training, and deployment of SharePoint software, as required by the District. The consultant will provide services at the previously negotiated reduced pricing for the renewal period. Annual expenditures under this contract are limited to \$75,000, paid by the general fund.

CUSD Strategic Plan Pillar 5: Effective Operations

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

29. DENIAL OF PETITION FOR AN APPLICATION FOR LEAVE TO PRESENT A LATE CLAIM NO. 14-18242 DP:

Denial of Petition for an Application for Leave to Present a Late Claim No. 14-18242 DP. This item pertains to a Petition for an Application for a Leave to Present a Late Claim filed against the District by Bremer Whyte Brown & O'Meara LLP, on behalf of Rob Crowe and Virginia Crowe, parents of a minor student. Due to the confidential nature of this item, the supporting information for this item is provided to Trustees under separate cover. Denial of this petition for an Application Leave to Present a Late Claim does not have any financial implications on the general fund, and establishes procedural timelines.

CUSD Strategic Plan Pillar 5: Effective Operations

Contact: Jodee Brentlinger, Assistant Superintendent, Personnel Services

30. ADVERTISE REQUEST FOR PROPOSAL NO. 4-1415, ONLINE CURRICULUM FOR VIRTUAL SCHOOLS:

Approval to advertise Request for Proposal (RFP) No. 4-1415 to provide online curriculum for the District's virtual schools: California Preparatory Academy (grades 9-12) and Capistrano Virtual School (grades TK-8). This RFP will enable the District to provide online courses at the virtual school sites allowing students to complete some or all of their regular course of study in an online setting. The District is searching for a comprehensive, integrated, full-featured, web-based program. The total annual expenditure under this contract is estimated to be \$120,000. The funding source will be determined once the cost of each program is known. Due to the size, the RFP documents will be posted online on the District Board Agendas and Supporting Documentation page.

CUSD Strategic Plan Pillar 3: Academic Achievement & Enrichment

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

31. AWARD REQUEST FOR PROPOSAL NO. 2-1415, INVESTIGATION SERVICES, ESI INTERNATIONAL, INCORPORATED; AND FULKRA INCORPORATED:

Approval of Award of Request for Proposal No. 2-1415, Investigation Services to ESI International, Incorporated, and Fulkra Incorporated. The District received five proposals. ESI International and Fulkra were selected based on having a variety, range, and depth of experience working with school districts. The proposals recognized and highlighted the sensitivity of such investigations, and the understanding of the laws and policies school districts must adhere to when conducting investigations and reporting findings. The term of the base contracts is November 13, 2014, through November 12, 2015, with two one-year renewal terms, at the option of the Board. The total contract terms are not-to-exceed three years. The contracts provide for external investigation services, as needed, not-to-exceed \$50,000 annually, funded by the general fund. When finalized, the contracts will be brought forward for Board approval. 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 (949) 234-9436.

CUSD Strategic Plan Pillar 5: Effective Operations

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

PERSONNEL SERVICES

32. 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

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EXHIBIT 32

33. 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

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EXHIBIT 33

34. 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 or complaints be reported to the Board of Trustees at a regularly scheduled public meeting each quarter. During the first quarter, no complaints were filed.

CUSD Strategic Plan Pillar 5: Effective Operations.

Contact: Jodee Brentlinger, Assistant Superintendent, Personnel Services

Motion by _____ Seconded by _____

ROLL CALL:

Student Advisor Akhil Patel ____

Trustee Addonizio _____ Trustee Hatton-Hodson _____

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, DECEMBER 10, 2014, 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.