

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

REVISED
10-3-14

BOARD OF TRUSTEES
Regular Meeting

October 8, 2014

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. PUBLIC EMPLOYEE APPOINTMENT/EMPLOYMENT
Autism Specialist (IBI Supervisor)
(Pursuant to Government Code §54957)

EXHIBIT A

B. PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE
(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

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. PROPOSED EXTENDED-SCHOOL-YEAR DATES FOR 2015:

Approval of the proposed 2015 Extended-School-Year (ESY) program. California Code of Regulations §3043, Title 5, establishes that ESY services shall be provided for each individual with exceptional needs who requires special education and related services beyond the regular academic year. A student is eligible for ESY if it is determined by the Individualized Education Program team that interruption of the pupil's educational programming may cause regression, when coupled with limited recoupment capacity, rendering it impossible or unlikely the pupil will attain the level of self-sufficiency and independence that would otherwise be expected in view of his or her disability. For 2015, staff is recommending a 19-day program for ESY students. The proposed ESY classes will be offered at three elementary schools, one middle school, one high school, and one adult transition center, and will serve approximately 1,100 students. The total cost of the special education ESY program is approximately \$1,800,000.

CUSD Strategic Plan Pillar 3: Academic Achievement & Enrichment

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

Staff Recommendation

It is recommended the Board President recognize Sara Jocham, Assistant Superintendent, SELPA and Special Education Operations to present this item.

Following discussion, it is recommended the Board of Trustees approve the proposed 2015 Extended-School-Year program.

Motion by _____ Seconded by _____

DISCUSSION/
ACTION
Page 1
EXHIBIT

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

2. SCHOOL BOARD MINUTES:

Approval of the minutes of the September 17, 2014, Board/Superintendent Workshop.

Contact: Jane Boos, Manager, Board Office Operations

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EXHIBIT 2

3. SCHOOL BOARD MINUTES:

Approval of the minutes of the September 24, 2014, regular Board meeting.
Contact: Jane Boos, Manager, Board Office Operations

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EXHIBIT 3

BUSINESS & SUPPORT SERVICES

4. 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 \$9,444,638.57 and the commercial warrants total \$7,637,730.48. 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

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EXHIBIT 4

5. DONATION OF FUNDS AND EQUIPMENT:

Approval of donations of funds and equipment. A number of gifts have been donated to the District, including \$158,454.87 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

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EXHIBIT 5

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

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 one new agreement totaling \$4,000; seven ratifications to new agreements totaling \$123,146; one extension to an existing agreement totaling \$0; and five amendment ratifications to existing agreements totaling \$40,000. 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

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EXHIBIT 6

7. SPECIAL EDUCATION INFORMAL DISPUTE RESOLUTION AGREEMENTS:

Approval of the ratification of special education Informal Dispute Resolution Case #081514, Case #091814, and Case #091914. Due to the confidential nature of the Agreements, supporting information is provided to Trustees under separate cover. Expenditures under these Agreements are limited to \$12,000, funded by special education funds.

CUSD Strategic Plan Pillar 3: Academic Achievement & Enrichment

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

8. **SPECIAL EDUCATION SETTLEMENT AGREEMENT:**
Approval of the ratification of special education Settlement Agreement Case #2014080293. Due to the confidential nature of the Agreement, supporting information is provided to Trustees under separate cover. Expenditures under this Agreement are limited to \$18,750, funded by special education funds.
CUSD Strategic Plan Pillar 3: Academic Achievement & Enrichment
Contact: Sara Jocham, Assistant Superintendent, SELPA and Special Education Operations

9. **FACILITIES USE AGREEMENT WITH OXFORD PREPARATORY ACADEMY:**
Approval of the final Facilities Use Agreement (FUA) with the District and Oxford Preparatory Academy (OPA) at the Barcelona Hills Campus for the 2014-2015, 2015-2016, 2016-2017, 2017-2018, and 2018-2019 school years. The proposed Agreement has been previously reviewed and approved by the District's legal counsel. OPA is currently chartered by the District and is occupying all of the facilities at the Barcelona Hills campus. On April 23, 2014, the District approved OPA's five-year petition renewal. This FUA will run concurrent with the renewed five-year charter. This Agreement is compliant with the law and balances the facility needs of the charter school with the facility and programmatic needs of the District.
CUSD Strategic Plan Pillar 5: Effective Operations
Contact: Clark Hampton, Deputy Superintendent, Business and Support Services

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EXHIBIT 9

10. **LICENSE AGREEMENT WITH THE YMCA OF ORANGE COUNTY AT THE BARCELONA HILLS ELEMENTARY SCHOOL SITE:**
Approval of the License Agreement with the YMCA of Orange County at the Barcelona Hills Elementary School Site. The YMCA had located a portable classroom on the property at Barcelona Hills Elementary School. Over the past several years, the YMCA has experienced a decline in enrollment at that site and has decided to consolidate services at Reilly and Castille elementary schools. Beginning this school year, students from the Barcelona area now being served at Reilly and Castille elementary schools. Since the YMCA will no longer be operating a YMCA program at the Barcelona Hills site, they have agreed to allow the District to offer the use of the portable to Oxford Preparatory Academy pursuant to the terms and conditions set forth in the attached Agreement. The License Agreement was reviewed and approved by the District's legal counsel.
CUSD Strategic Plan Pillar 5: Effective Operations
Contact: Clark Hampton, Deputy Superintendent, Business and Support Services

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EXHIBIT 10

11. **THIRD AMENDMENT TO LEASE AGREEMENT BETWEEN THE CAPISTRANO UNIFIED SCHOOL DISTRICT AND IQINVISION, INCORPORATED:**
Approval of the Third Amendment to Lease Agreement between the District and IQinVision, Incorporated (IQinVision). The Third Amendment proposes to amend the current Lease Agreement with IQinVision, entered into on or about November 8, 2007, which was amended on October 1, 2010, and, again, on March 6, 2012. IQinVision is currently leasing approximately 22,017 square feet of District-owned property known as Administration Building C, located at 33122 Valle Road, in San Juan Capistrano. Due to organizational changes, IQinVision has requested that the Lease Agreement, as amended, be amended again to reflect a reduction in the leased premises to approximately 11,000 square feet and a proportionate reduction in the base rent at \$2.00 per square foot. The Third Amendment was reviewed and approved by the District's legal counsel.
CUSD Strategic Plan Pillar 5: Effective Operations
Contact: Clark Hampton, Deputy Superintendent, Business and Support Services

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EXHIBIT 11

12. **FINAL ACCEPTANCE AND FILING OF THE NOTICE OF COMPLETION FOR THE INSTALLATION OF A NEW VARSITY BASEBALL SCOREBOARD AT SAN JUAN HILLS HIGH SCHOOL - SPORTS FACILITIES GROUP AND GILBERT AND STEARNS:** Page 115
EXHIBIT 12
Approval of the final acceptance and filing of the Notice of Completion for the installation of one new varsity baseball scoreboard at San Juan Hills High School. Sports Facilities Group and Gilbert and Stearns, 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.
CUSD Strategic Plan Pillar 5: Effective Operations
Contact: Clark Hampton, Deputy Superintendent, Business and Support Services
13. **RATIFICATION OF CHANGE ORDER NO. 1 – BID NO. 1314-24, SAN CLEMENTE HIGH SCHOOL ROOF REPLACEMENT:** Page 117
EXHIBIT 13
Ratification of Change Order No. 1 related to the replacement of the San Clemente High School roof. This change order aggregates various work orders that may consist of additions, deletions, or other revisions that are now being presented to the Board of Trustees for ratification. All such changes in the work are performed under applicable conditions of the change in contract documents. Of the \$50,000 contingency allowance, \$18,300 was used; therefore, the total contract sum is reduced by \$31,000. The resulting change order credit is shown in the exhibit. The original contract sum was \$754,823. The new contract sum including Change Order No. 1 is \$723,123.
CUSD Strategic Plan Pillar 5: Effective Operations
Contact: Clark Hampton, Deputy Superintendent, Business and Support Services
14. **RATIFICATION OF AGREEMENT FOR THE USE OF EMERALD COVE OUTDOOR SCIENCE INSTITUTE FACILITIES, SUPPLIES, EQUIPMENT, AND SERVICES - PUBLIC SCHOOL DISTRICTS - SCHOOL YEAR 2014-2015:** Page 135
EXHIBIT 14
Ratification of the Agreement for the use of facilities, supplies, equipment, and services provided by Emerald Cove Outdoor Science Institute, as requested by the District. The contractor will provide services at the rates indicated in the Agreement. The scheduled attendance for this program for fifth grade students is April 13, 2015, through April 17, 2015, for Castille Elementary School; and May 5, 2015, through May 8, 2015, for Oak Grove Elementary School. Expenditures under this contract are estimated to be \$80,774, paid by gift funds.
CUSD Strategic Plan Pillar 3: Academic Achievement & Enrichment
Contact: Clark Hampton, Deputy Superintendent, Business and Support Services
15. **2014-2015 AGREEMENT WITH IRVINE RANCH OUTDOOR EDUCATION CENTER:** Page 151
EXHIBIT 15
Approval of the 2014-2015 Agreement with Irvine Ranch Outdoor Education Center to provide programs and classes in Environmental Education, as requested by the District. The contractor will provide services at the rates indicated in the Agreement. The scheduled attendance for this program is February 3, 2015, through February 6, 2015, for fifth grade students attending San Juan Elementary School. Expenditures under this contract are estimated to be \$26,775, paid by gift funds.
CUSD Strategic Plan Pillar 3: Academic Achievement & Enrichment
Contact: Clark Hampton, Deputy Superintendent, Business and Support Services

16. **LICENSING AGREEMENT WITH DOCUMENT TRACKING SERVICES:** Page 157
EXHIBIT 16
Approval of the Licensing Agreement with Document Tracking Services to provide a license to use a proprietary web-based application to create, edit, update, print, and track the 2014 School Accountability Report Card, the 2014 Single Plan for Student Achievement, and other documents, as needed by the District. The contractor will provide services at the rates indicated in the Agreement. The term of this Agreement is October 1, 2014, through October 1, 2015. Annual expenditures under this contract are limited to \$13,740, paid by the general fund.
CUSD Strategic Plan Pillar 3: Academic Achievement & Enrichment
Contact: Clark Hampton, Deputy Superintendent, Business and Support Services
17. **AWARD BID NO. 1415-13, CONCRETE REPAIRS AND MAINTENANCE, TO ABOVE ALL NAMES CONSTRUCTION SERVICES, INCORPORATED:** Page 163
EXHIBIT 17
Approval of Award of Bid No. 1415-13, Concrete Repairs and Maintenance to Above All Names Construction Services, Incorporated. Twenty-three contractors registered and downloaded documents; eight bids were received and opened on September 11, 2014. Above All Names Construction Services, Incorporated is the lowest responsive, responsible bidder. The bid award was determined by creating five job scenarios of the most common District projects with select line items at a weighted percentage. The term of the base contract is October 27, 2014, through December 31, 2015, with two renewal terms, at the option of the Board of Trustees. The total contract term is not-to-exceed three years. Annual expenditures utilizing this contract are estimated to be \$250,000, funded by deferred maintenance, routine restricted maintenance, and modernization funds.
CUSD Strategic Plan Pillar 5: Effective Operations
Contact: Clark Hampton, Deputy Superintendent, Business and Support Services
18. **NEWPORT-MESA UNIFIED SCHOOL DISTRICT BID NO. 100-15, POOL SUPPLIES WITH COMMERCIAL AQUATIC SERVICES, INCORPORATED:** Page 177
EXHIBIT 18
Approval to utilize the Newport-Mesa Unified School District Bid No. 100-15 for the purchase of pool supplies from Commercial Aquatic Services, Incorporated, under the same terms and conditions of the public agency's contract. This contract provides competitive set pricing for pool supplies, as needed, by the District. Annual expenditures utilizing this contract are estimated to be \$150,000, funded by routine restricted maintenance. 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
19. **ADVERTISE REQUEST FOR PROPOSAL NO. 3-1415, CLASSIFIED SERVICE CLASSIFICATION AND COMPENSATION STUDY:**
Approval to advertise Request for Proposal (RFP) No. 3-1415 for Classification Study Services. This RFP will enable the District to comply with Education Code §45101 and collective bargaining agreements with CSEA and Teamsters regarding the accuracy and relevancy of existing job descriptions. The District is seeking proposals to conduct a comprehensive job classification study for classified employees. The study will include an analysis and recommendation regarding all classified job descriptions including revisions, the possible elimination and/or addition of new job classifications.

Following the completion of the comprehensive study, the proposal also seeks supporting the District in developing an ongoing, internal, annual review process. The total expenditure under this contract is estimated to be \$100,000, a one-time general fund expenditure. Due to the size, the RFP documents 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

20. RESIGNATIONS/RETIREMENTS/EMPLOYMENT – CLASSIFIED EMPLOYEES:

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EXHIBIT 20

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

21. RESIGNATIONS/RETIREMENTS/EMPLOYMENT – CERTIFICATED EMPLOYEES:

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EXHIBIT 21

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

22. WILLIAMS UNIFORM COMPLAINTS – ANNUAL 2013-2014:

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EXHIBIT 22

Acceptance of Annual Report - Williams Settlement Legislation, 2013-2014 School Year. 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. Both quarterly and annually the Orange County Department of Education (OCDE) conducts a review to determine if deficiencies exist. The annual report for the District, conducted by the OCDE, was found to be in compliance. The inspection of Kinoshita and San Juan elementary schools revealed the schools have sufficient instructional materials. The inspection of facility conditions revealed two minor deficiencies for Kinoshita Elementary School, and five minor deficiencies for Viejo Elementary School. Facility deficiencies are in the process of being resolved. The schools are considered to have met all expectations established under the Williams Settlement Legislation. Reports are received and reviewed by the District's Compliance Officer.

CUSD Strategic Plan Pillar 5: Effective Operations

Contact: Jodee Brentlinger, Assistant Superintendent, Personnel Services

23. AUTHORIZATION OF COACHES TO PROVIDE FIRST SEMESTER PHYSICAL EDUCATION CREDIT:

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, complete a minimum of 20 hours of first-aid instruction, have training on the harmful effects of steroid use, and be approved by the Board of Trustees. It has been determined all teachers who do not hold a physical education 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 instruction. 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 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, OCTOBER 22, 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.