

Regular Meeting

CAPISTRANO UNIFIED SCHOOL DISTRICT  
BOARD OF TRUSTEES

33122 Valle Road  
San Juan Capistrano, CA 92675

January 11, 2011

7:00 p.m.

**I. PRELIMINARY**

Meeting was called to order by \_\_\_\_\_

Pledge of Allegiance to the Flag

Board consideration and adoption of the agenda.

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

<b>ROLL CALL:</b>	<b>Present</b>	<b>Absent</b>
Jack R. Brick, President	_____	_____
Dr. Gary Pritchard, Vice President	_____	_____
John Alpay, Clerk	_____	_____
Ellen M. Addonizio, Member	_____	_____
Anna Bryson, Member	_____	_____
Lynn Hatton, Member	_____	_____
Sue Palazzo, Member	_____	_____
Larson Ishii, Student Advisor	_____	_____

**CLOSED SESSION COMMENTS**

**CLOSED SESSION**  
**6:00 p.m.**

**REPORT ON CLOSED SESSION ACTION**

**SPECIAL RECOGNITIONS**

*Jimmy Muessner & the ANHS Basketball Team – Socks from Jocks*  
*Student Body President’s Report – San Clemente High School*  
*Newly Hired Management Staff*

**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: Agenda Item #31 – School Accountability Report Card Waiver**

**PUBLIC HEARING: Agenda Item #39 – Community Facilities District (CFD) 2005-1 Whispering Hills**

**RECORDING OF SCHOOL BOARD MEETINGS**

In accordance with Board Policy 9324, Board Minutes, all Regular School Board Meetings will be audio recorded.

## II. 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.*

### III. 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 staff recommend approval of all Consent Calendar items.

#### GENERAL FUNCTIONS

PAGE #

1. SCHOOL BOARD MINUTES: Approval, minutes of the December 7, 2010, Regular Board Meeting and the December 13, 2010, Special Board Meeting.  
(Supporting Information)  
*Contact: Jane Boos, Manager, Board Office Operations* 1

#### CURRICULUM & INSTRUCTION

2. LOCAL EDUCATIONAL AGENCY (LEA) PLAN REVISION: Approval, revisions to the LEA plan.  
(Supporting Information)  
*Contact: Julie Hatchel, Assistant Superintendent, Education Services* 13
3. LOCAL EDUCATIONAL AGENCY PLAN (LEA) ADDENDUM: Approval, addendum to the LEA plan.  
(Supporting Information)  
*Contact: Julie Hatchel, Assistant Superintendent, Education Services* 15
4. REVISED 2010-2011 SCHOOL CALENDAR: Approval, revisions to the 2010-2011 School Calendar restoring two instructional days.  
(Supporting Information)  
*Contact: Julie Hatchel, Assistant Superintendent, Education Services* 43
5. EXPULSION READMISSIONS: Approval, readmission of students from expulsion.  
(Supporting Information)  
*Contact: Julie Hatchel, Assistant Superintendent, Education Services* 49

#### BUSINESS & SUPPORT SERVICES

6. PURCHASE ORDERS/WARRANTS: Approval, purchase orders, warrants, and consultant agreements.  
(Supporting Information)  
*Contact: Ron Lebs, Deputy Superintendent, Business & Support Services* 51
7. DONATIONS: Approval, donations of funds/equipment.  
(Supporting Information)  
*Contact: Ron Lebs, Deputy Superintendent, Business & Support Services* 93
8. CONSULTING AGREEMENT: Approval, Instructional Science Program and Assemblies, Discovery Science Center.  
(Supporting Information)  
*Contact: Ron Lebs, Deputy Superintendent, Business & Support Services* 95
9. CONSULTING AGREEMENT: Approval, Physical Therapy Assessment, Joy for Kids Physical Therapy, Inc.  
(Supporting Information)  
*Contact: Ron Lebs, Deputy Superintendent, Business & Support Services* 105

10. CONSULTING AGREEMENT: Approval, Nutrition Education and Physical Activity Demonstrations, S&L Enterprises. 117  
(Supporting Information)  
*Contact: Ron Lebs, Deputy Superintendent, Business & Support Services*
11. CONSULTING AGREEMENT: Approval, Healthy Cooking Demonstrations and Assemblies, Projects Unlimited, Inc. 127  
(Supporting Information)  
*Contact: Ron Lebs, Deputy Superintendent, Business & Support Services*
12. CONSULTING AGREEMENT: Approval, Speech Improvement Workshop, Jennifer Taps. 137  
(Supporting Information)  
*Contact: Ron Lebs, Deputy Superintendent, Business & Support Services*
13. CONSULTING AGREEMENT: Approval, award of request for consulting agreement, MIND Music Keyboard and Music Instruction, Daneen Pysz. 149  
(Supporting Information)  
*Contact: Ron Lebs, Deputy Superintendent, Business & Support Services*
14. CONSULTING AGREEMENT: Approval, architectural services, PJHM Architects, Inc. 159  
(Supporting Information)  
*Contact: Ron Lebs, Deputy Superintendent, Business & Support Services*
15. CONSULTING AGREEMENT: Approval, surveying and construction engineering services, Britton Consulting. 175  
(Supporting Information)  
*Contact: Ron Lebs, Deputy Superintendent, Business & Support Services*
16. INSPECTOR OF RECORD: Approval, award of Request for Qualifications No. 4-1011, DSA approved Inspector of Record to Consulting & Inspection Services and Knowland Construction Services. 185  
(Supporting Information)  
*Contact: Ron Lebs, Deputy Superintendent, Business & Support Services*
17. SPECIAL INSPECTION AND MATERIALS TESTING: Approval, award of Request for Qualifications No. 5-1011, Special Inspections and Materials Testing to MTGL, Inc. and Ninyo & Moore, and Twining, Inc. 187  
*Contact: Ron Lebs, Deputy Superintendent, Business & Support Services*
18. DANA HILLS HIGH SCHOOL GYMNASIUM COMPLETION NOTICE: Approval, final acceptance and Notice of Completion of Bid No. 0809-13, Dana Hills High School Gymnasium Modernization, Gymnasium Floor and Bleacher Replacement, Paul C. Miller Construction Company Inc. 189  
(Supporting Information)  
*Contact: Ron Lebs, Deputy Superintendent, Business & Support Services*
19. INCOME AGREEMENT: Approval, award of Request for Income Agreement, leadership and library media support services, Orange County Department of Education. 193  
(Supporting Information)  
*Contact: Ron Lebs, Deputy Superintendent, Business & Support Services*
20. DEVELOPER FEES: Approval, Resolution No. 1011-35, annual and five-year reports of Developer Fees received in fiscal year 2009-2010. 203  
(Supporting Information)  
*Contact: Ron Lebs, Deputy Superintendent, Business & Support Services*

- 21. ASSOCIATED STUDENT BODY BANK ACCOUNTS: Approval, bank accounts for all ASB organizations. 220  
 (Supporting Information)  
*Contact: Ron Lebs, Deputy Superintendent, Business & Support Services*
  
- 22. ROOFING REPAIRS: Approval, authorization to advertise Bid No. 1011-10, Roofing Repairs and Maintenance Districtwide. 224  
 (Supporting Information)  
*Contact: Ron Lebs, Deputy Superintendent, Business & Support Services*
  
- 23. OBSOLETE AND UNUSABLE MISCELLANOUS MATERIALS: Approval, authorization to sell obsolete and unusable District materials. 226  
 (Supporting Information)  
*Contact: Ron Lebs, Deputy Superintendent, Business & Support Services*

**PERSONNEL SERVICES**

- 24. RESIGNATIONS/RETIREMENTS/EMPLOYMENT: Approval, classified personnel. 228  
 (Supporting Information)  
*Contact: Jodee Brentlinger, Assistant Superintendent, Personnel*
  
- 25. RESIGNATIONS/RETIREMENTS/EMPLOYMENT: Approval, certificated personnel. 250  
 (Supporting Information)  
*Contact: Jodee Brentlinger, Assistant Superintendent, Personnel*
  
- 26. GOVERNMENT CLAIM DENIAL: Approval, denial of Government Claim No. 10-89155 DP. 260  
 (Supporting Information)  
*Contact: Jodee Brentlinger, Assistant Superintendent, Personnel*
  
- 27. WILLIAMS SETTLEMENT: Approval, first quarter site review report on complaints relative to the Williams Settlement Uniform Complaint Procedure, 2010-2011 school year. 266  
 (Supporting Information)  
*Contact: Jodee Brentlinger, Assistant Superintendent, Personnel*
  
- 28. STUDENT TEACHING AGREEMENT: Approval, student teaching agreement with the University of Redlands. 272  
 (Supporting Information)  
*Contact: Jodee Brentlinger, Assistant Superintendent, Personnel*

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

**ROLL CALL:**

Student Advisor Larson Ishii _____	Trustee Hatton _____
Trustee Addonizio _____	Trustee Palazzo _____
Trustee Alpay _____	Trustee Pritchard _____
Trustee Bryson _____	Trustee Brick _____

**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.**

IV. DISCUSSION/ACTION

29. **GANG REDUCTION AND INTERVENTION PARTNERSHIP (GRIP):** Update report on the GRIP program. (Supporting Information) *Contact: Julie Hatchel, Assistant Superintendent, Education Services* INFORMATION/ DISCUSSION Page 278

30. **FISCAL AUDIT:** Consideration and approval, presentation and acknowledgement of receipt of fiscal audit for the year ending June 30, 2010. (Supporting Information) *Contact: Ron Lebs, Deputy Superintendent, Business & Support Services* DISCUSSION/ ACTION Vote \_\_\_\_\_ Page 288

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

31. **SCHOOL ACCOUNTABILITY REPORT CARD TIMELINE WAIVER REQUEST- PUBLIC HEARING:** Consideration and approval, School Accountability Report Card waiver request for the 2010-2011 school year. (Supporting Information) *Contact: Julie Hatchel, Assistant Superintendent, Education Services* DISCUSSION/ ACTION Vote \_\_\_\_\_ Page 290

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

ROLL CALL:

Student Advisor Larson Ishii \_\_\_\_\_  
Trustee Addonizio \_\_\_\_\_ Trustee Hatton \_\_\_\_\_  
Trustee Alpay \_\_\_\_\_ Trustee Palazzo \_\_\_\_\_  
Trustee Bryson \_\_\_\_\_ Trustee Pritchard \_\_\_\_\_  
Trustee Brick \_\_\_\_\_

~~32. **CALIFORNIA SCHOOL BOARDS ASSOCIATION:** Reconsideration, approval, and/or further discussion regarding District membership in the California School Boards Association. (Supporting Information) *Contact: Joseph M. Farley, Superintendent* DISCUSSION/ ACTION Vote \_\_\_\_\_ Page 294~~ **ITEM WAS PULLED PRIOR TO POSTING**

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

33. **MEMORANDUM OF UNDERSTANDING WITH THE CITY OF DANA POINT:** Consideration and approval, memorandum of understanding between the City of Dana Point and CUSD for the intervention consultant at Dana Hills High School. (Supporting Information) *Contact: Joseph M. Farley, Superintendent* DISCUSSION/ ACTION Vote \_\_\_\_\_ Page 296

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

34. **BOARD POLICY REVISION:** First reading of revisions to Board Policy 1113, *District Web and Social Media Sites.* (Supporting Information) *Contact: Marcus Walton, Chief Communications Officer* INFORMATION/ DISCUSSION Page 304

35. **BOARD POLICY REVISION:** First reading of revisions to Board Policy 1114, *Image Management.* (Supporting Information) *Contact: Marcus Walton, Chief Communications Officer* INFORMATION/ DISCUSSION Page 310

36. **BOARD POLICY REVISION:** First reading of revisions to Board Policy 5117.1, *Open Enrollment Act/Romero Bill.* (Supporting Information) *Contact: Julie Hatchel, Assistant Superintendent, Education Services* INFORMATION/ DISCUSSION Page 314

37. **BOARD POLICY REVISION:** First reading of revisions to Board Policy 5118,  
*Interdistrict Attendance Agreements.*  
 (Supporting Information)  
*Contact: Julie Hatchel, Assistant Superintendent, Education Services* INFORMATION/  
 DISCUSSION  
 Page 320
38. **BOARD POLICY REVISION:** First reading of revisions to Board Policy 5119,  
*Open Enrollment.*  
 (Supporting Information)  
*Contact: Julie Hatchel, Assistant Superintendent, Education Services* INFORMATION/  
 DISCUSSION  
 Page 326
39. **APPROVAL OF RESOLUTION NO. 1011-36 AUTHORIZING THE  
 CONTINUANCE OF PUBLIC HEARING FOR CONSIDERATION OF  
 REDUCTING SPECIAL TAXES OF COMMUNITY FACILITIES  
 DISTRICT 2005-1 (WHISPERING HILLS):** Consideration and approval,  
 reducing special taxes of Community Facilities District (CFD) 2005-1 (Whispering  
 Hills) hereafter CFD No. 2005-1, termination thereof and initiation of additional  
 proceedings. Resolution No. 1011-36.  
 (Supporting Information)  
*Contact: Ron Lebs, Deputy Superintendent, Business & Support Services* DISCUSSION/  
 ACTION  
 Vote \_\_\_\_\_  
 Page 334
- Motion by \_\_\_\_\_ Seconded by \_\_\_\_\_  
 ROLL CALL:  
 Student Advisor Larson Ishii \_\_\_\_\_  
 Trustee Addonizio \_\_\_\_\_ Trustee Hatton \_\_\_\_\_  
 Trustee Alpay \_\_\_\_\_ Trustee Palazzo \_\_\_\_\_  
 Trustee Bryson \_\_\_\_\_ Trustee Pritchard \_\_\_\_\_  
 Trustee Brick \_\_\_\_\_
40. **DIVISION OF STATE ARCHITECT:** Update of progress of the Division of State  
 Architect Construction and Project listing.  
 (Supporting Information)  
*Contact: Ron Lebs, Deputy Superintendent, Business & Support Services* INFORMATION/  
 DISCUSSION  
 Page 340

## V. ADJOURNMENT

**THE NEXT REGULAR MEETING OF THE GOVERNING BOARD WILL BE HELD ON  
 TUESDAY, FEBRUARY 8, 2011, 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)

## VI. CLOSED SESSION

### 41. Closed Session (as authorized by law)

#### A. CONFERENCE WITH LEGAL COUNSEL–EXISTING LITIGATION

Number of cases: Two

*(Pursuant to Government Code §54956.9(a))*

Case No. 1

Superior Court of the State of California

County of Orange

Case No. 00300788

Whispering Hills LLC v. Capistrano Unified School District

Case No. 2

Superior Court of the State of California

County of Orange

Case No. 00424741

Gary Campbell v. Capistrano Unified School District

#### B. STUDENT EXPULSIONS – Items B-1 through B-5

Deliberations of Findings of Fact and Recommendations

*(Pursuant to Education Code §48918(c) and §35145)*

#### C. CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Dr. Joseph M. Farley/Ron Lebs

Property:

Transportation Center at Capistrano Beach

26126 Victoria Blvd.

Capistrano Beach, CA 92675

*(Pursuant to Government Code §54957.8)*

#### D. CONFERENCE WITH LABOR NEGOTIATORS

Dr. Joseph M. Farley/Jodee Brentlinger/Ron Lebs

Employee Organization:

1) Capistrano Unified Education Association (CUEA)

2) Capistrano School Employees Association (CSEA)

3) Unrepresented Employees (CUMA)

4) Teamsters

*(Pursuant to Government Code §54957.6)*