

CAPISTRANO UNIFIED SCHOOL DISTRICT
BOARD OF TRUSTEES
MINUTES – REGULAR MEETING
FEBRUARY 29, 2012
EDUCATION CENTER – BOARD ROOM

President Pritchard called the meeting to order at 5:30 p.m. Trustee Palazzo stated she did not receive any written material for agenda item 3A. The Board recessed to closed session to: discuss CSEA/CUEA/CUMA/Teamsters negotiations; discuss Public Employee Discipline/Dismissal/Release; and discuss Public Employee Appointment/ Employment.

Closed session recessed at 6:50 p.m.

The regular meeting of the Board reconvened to open session and was called to order by President Pritchard at 7:00 p.m.

The Pledge of Allegiance was led by Lieutenant Paul D'Auria.

Present: Trustees Addonizio, Alpay, Brick, Bryson, Hatton, Palazzo, and Pritchard
Absent: Student Advisor Ryan Pallas

A CD of the Board meeting discussion related to each of the items on the public agenda is on file in the Superintendent's office as a matter of the permanent record. An audio recording of the meeting is available on the District website: www.capousd.org

Permanent Record

It was moved by Trustee Alpay, seconded by Trustee Bryson, and motion carried by a 7-0 vote to adopt the Board agenda.

Adoption of the Board Agenda

AYES: Trustees Addonizio, Alpay, Brick, Bryson, Hatton, Palazzo, and Pritchard
NOES: None
ABSENT: Student Advisor Ryan Pallas
ABSTAIN: None

President Pritchard reported the following action taken during closed session:

President's Report From Closed Session Meeting

Agenda Item #3 A– CSEA/CUEA/CUMA/Teamsters Negotiations:

The Board gave direction to staff.

Agenda Item #3 B– Public Employee Discipline/Dismissal/Release:

The Board voted 7-0 to approve the issuance of a non-reelection notice to Employee #028365.

AYES: Trustees Addonizio, Alpay, Brick, Bryson, Hatton, Palazzo, and Pritchard
NOES: None
ABSENT: None
ABSTAIN: None

Agenda Item #3 C – Public Employee Appointment/Employment:

The Board voted 7-0 to approve the appointment of Danielle Davis, Autism Specialist – IBI Supervisor.

AYES: Trustees Addonizio, Alpay, Brick, Bryson, Hatton, Palazzo, and Pritchard
NOES: None
ABSENT: None
ABSTAIN: None

Lieutenant Paul D’Auria was recognized for his service to the District, students, and the community while serving as the Chief of Police for the City of San Clemente. Lieutenant D’Auria is leaving the city for a promotion to Captain and a new job as commander of the county jail.

Special Recognition

Dr. Farley reported athletes at San Juan Hills High School will be able to use the new 30-meter pool on Monday. Dr. Farley also mentioned construction on the football stadium’s home-side bleachers has started and will be completed by the end of March.

Board and Superintendent Comments

Trustee Bryson stated during her visit to Washington, D.C. this week she visited the Department of Education and would be sharing information with District staff she received regarding internet schooling and the potential of internet schools, as it relates to the District’s online California Preparatory Academy.

Trustee Hatton commented the California Department of Education released its Common Core Standards Implementation Guide and then shared seven guiding strategies relevant to the District. Trustee Hatton also mentioned she met with the president of Saddleback College about expanding its partnership with the District.

Trustee Alpay congratulated the City of San Clemente on its new sports park facilities and stated he hopes San Clemente High School students will be able to use the facilities through a joint-use agreement in the near future. Trustee Alpay also congratulated the Capistrano Valley High School boys’ soccer team, and the San Clemente High School and Aliso Niguel High School girls’ soccer teams for going to the CIF finals.

Trustee Palazzo reminded the audience of the Honor Concerts being held on March 10 at Crossline Community Church. Trustee Palazzo also requested an item be placed on the next Board agenda regarding the reinstatement of audio recording closed session.

Trustee Pritchard announced Maureen Schiff and Daniel Frank from Deafinitely Professional Interpreting Services would be signing for a member of the audience who had requested their services in accordance with the Americans with Disabilities Act.

As specified in Board Bylaw 9323 for Oral Communications, each speaker was allowed three (3) minutes to speak.

Oral Communications

The following speaker addressed the Board:

- *Pam Palka stated Eric Patton followed existing procedures under the direction of the athletic director and principal of San Clemente High School and did not violate the law or code as a coach. Ms. Palka asked why Dr. Patton was fired before the Sheriff’s Department completed their investigation.*

PUBLIC HEARING

President Pritchard announced the Public Hearing open at 7:19 p.m. regarding the Pupil-to-Teacher Waiver Request for Capistrano Connections Academy Charter School. There being no speakers to address the Board, President Pritchard declared the Public Hearing closed at 7:20 p.m.

**Public Hearing:
Capistrano
Connections
Waiver Request
Agenda Item 1**

Assistant Superintendent Julie Hatchel stated the District is seeking an extension of the general waiver request to increase the pupil-to-teacher ratio from 25:1 to up to 27.5:1 at Capistrano Connections Academy Charter School.

**Capistrano
Connections
Waiver Request
Agenda Item 2**

It was moved by Trustee Alpay, seconded by Trustee Brick, and motion carried unanimously to approve the Pupil-to-Teacher Waiver Request for Capistrano Connections Academy Charter School.

President Pritchard announced the Public Hearing open at 7:21 p.m. regarding the approval of the Pupil-to-Teacher Waiver Request for California Preparatory Academy. There being no speakers to address the Board, President Pritchard declared the Public Hearing closed at 7:22 p.m.

**Public Hearing:
California
Preparatory
Academy Waiver
Request
Agenda Item 3**

Assistant Superintendent Julie Hatchel stated the District is seeking a general waiver request to increase the pupil-to-teacher ratio from 25:1 to up to 34.5:1 at California Preparatory Academy. Mrs. Hatchel explained the pupil-to-teacher ratio can be higher for online schools servicing high school students.

**California
Preparatory
Academy Waiver
Request
Agenda Item 4**

It was moved by Trustee Bryson, seconded by Trustee Addonizio, and motion carried unanimously to approve the Pupil-to-Teacher Waiver Request for California Preparatory Academy.

President Pritchard announced the Public Hearing open at 7:24 p.m. regarding the approval of the draft plans for Kindergarten through Grade 3 Class Size Penalty Waiver Request. There being no speakers to address the Board, President Pritchard declared the Public Hearing closed at 7:25 p.m.

**Public Hearing:
K-3 Class Size
Penalty Waiver
Request
Agenda Item 5**

Assistant Superintendent Julie Hatchel explained this item seeks approval of the Kindergarten through Grade 3 Class Size Penalty Waiver Request for fiscal years 2011-2012 and 2012-2013. The District is seeking a specific waiver request to increase the overall class size average in kindergarten from 31 to 33 and in grades 1-3 from 30 to 31. The waiver would enable the District to gain additional revenue by minimizing class size penalties.

**K-3 Class Size
Penalty Waiver
Request
Agenda Item 6**

Following discussion, it was moved by Trustee Bryson, seconded by Trustee Hatton, and motion carried by a 6-1 vote to approve the Kindergarten through Grade 3 Class Size Penalty Waiver Request.

AYES: Trustees Alpay, Brick, Bryson, Hatton, Palazzo, and Pritchard
NOES: Trustee Addonizio
ABSENT: Student Advisor Ryan Pallas
ABSTAIN: None

DISCUSSION/ACTION

Assistant Superintendent Jodee Brentlinger stated the District must continue to consider every option to ensure it develops and adopts a balanced budget by June 30, 2012. As a precautionary measure, this item proposes consideration of the adoption of Resolution No. 1112-33, Board authorization to provide written notice to union leadership of the District's represented groups, and to unrepresented CUMA employees. This action reserves the right to negotiate a reduction in salaries and/or work year calendars during the 2012-2013 school year should it become necessary.

Reserving the Right to Make Employee Compensation Reductions
Agenda Item 7

It was moved by Trustee Alpay, seconded by Trustee Hatton, and motion carried unanimously to approve Resolution No. 1112-33, Reserving the Right to Make 2012-2013 Employee Compensation Reductions, for all employees and provide authorization to deliver written notice to union leaders and unrepresented CUMA employees.

AYES: Trustees Addonizio, Alpay, Brick, Bryson, Hatton, Palazzo, and Pritchard
NOES: None
ABSENT: Student Advisor Ryan Pallas
ABSTAIN: None

Assistant Superintendent Jodee Brentlinger stated notices to certificated employees are due to a reduction in anticipated revenue because of declining enrollment and the need to reduce services as a result, possible changes in staffing patterns, class size increases if negotiated, and to accommodate potential impacts from collective bargaining decisions. California law requires certificated employees be notified no later than March 15 if there is a possibility they may be reassigned or laid off from their current position in the ensuing year.

Reduction of Certificated Employees
Agenda Item 8

Following discussion, it was moved by Trustee Alpay, seconded by Trustee Brick, and motion carried by a 5-2 vote to approve Resolution No. 1112-35, Reduction of Certificated Employees, Non-Management and Management Personnel and authorize the District to issue March 15 notices.

AYES: Trustees Alpay, Brick, Bryson, Hatton, and Pritchard
NOES: Trustees Addonizio and Palazzo
ABSENT: Student Advisor Ryan Pallas
ABSTAIN: None

Assistant Superintendent Jodee Brentlinger stated this is the beginning of the District initiating the negotiation process for all three bargaining units. The first proposal is with the certificated employee group, Capistrano Unified Education Association (CUEA). Mrs. Brentlinger explained proposals this year are different as staff has described the what, which is where the District is in terms of its financial needs, why it is there, and the contract articles the District is interested in discussing and negotiating with each bargaining unit. The other difference to the proposals is the successor agreement with no limit on the articles that may be opened. In the collective bargaining agreement with CUEA, it states the union must present its proposal to the District by April 1. The proposal items are information only but will be brought back to the March 12 meeting for discussion/action.

CUEA Contract Reopener Proposal
Agenda Item 9

Assistant Superintendent Jodee Brentlinger stated the proposal with the classified employee group, Capistrano School Employee Association (CSEA), is structured similar to the other proposals. This also has a successor agreement and will expire on June 30, 2012. The proposal includes the what, why, and articles the District is interested in discussing and negotiating.

CSEA Contract Reopener Proposal
Agenda Item 10

Assistant Superintendent Jodee Brentlinger stated the initial proposal for Teamsters is the same structure as described in agenda items nine and ten.

**Teamsters
Contract Reopener
Proposal
Agenda Item 11**

Assistant Superintendent Julie Hatchel stated the District receives Title III money from the federal government to assist English learners attain English proficiency, achieve academically, and meet the same academic standards as other students. In order to receive the funds, the District is required to reach Annual Measurable Achievement Objectives. When the objectives aren't met, the District is required to prepare an action plan which delineates how Title III money will be allocated and what the District will be doing to close the achievement gap for English learners. Mrs. Hatchel described the six components of the amendments to the District's LEA plan the District will focus on. At the request of Trustee Palazzo, Mrs. Hatchel also provided the following information regarding neighborhood students affected by the immersion program at Las Palmas and San Juan elementary schools: 119 students are bused from Las Palmas Elementary to Marblehead or Palisades; 86 students from San Juan Elementary are bused to Ambuehl or R.H. Dana. Due to NCLB legislation of the Program Improvement status at those schools, the District is obligated to provide transportation for these students.

**Improvement Plan
Addendum
Agenda Item 12**

Following discussion, it was moved by Trustee Bryson, seconded by Trustee Brick, and motion carried by a 7-0 vote to approve the Title III Improvement Plan Addendum – Year Four.

Assistant Superintendent Julie Hatchel stated this is the third time this item has been presented to the Board. After the second reading staff received sample language from the Orange County Department of Education and incorporated it into the policy.

**Board Policy
Revisions
Agenda Item 13**

It was moved by Trustee Alpay, seconded by Trustee Bryson, and motion carried by a 7-0 vote to approve the revisions to Board Policy 5141, *Conduct*.

It was moved by Trustee Alpay, seconded by Trustee Bryson, and motion carried by a 7-0 vote to approve the revisions to Board Policy 1311, *Charitable Contributions-Soliciting from District Personnel*.

**Board Policy
Revisions
Agenda Item 14**

It was moved by Trustee Bryson, seconded by Trustee Hatton, and motion carried by a 7-0 vote to approve the adoption of Board Policy 4033, *Lactation Accommodation*.

**New Board Policy
Agenda Item 15**

It was moved by Trustee Alpay, seconded by Trustee Bryson, and motion carried by a 7-0 vote to approve the revisions to Board Policy 5119, *Open Enrollment*.

**Board Policy
Revisions
Agenda Item 16**

Interim Deputy Superintendent Tim Holcomb presented for first reading Board Policy 3315, *Relations with Vendors*, and explained it is being revised to update the guidelines and policies related to interactions with vendors when processing funds and purchasing materials. The update clearly defines the District's policy related to negotiations and the use of incentives. This policy will be brought back to a future meeting for second reading and approval.

**Board Policy
Revisions
Agenda Item 17**

Trustee Alpay directed staff to capitalize the term "incentive" under the Negotiations heading in the policy.

President Pritchard asked Trustees for items they wished to pull from the Consent Calendar. Agenda items 22 and 33 were pulled.

**Items Pulled from
the Consent
Calendar**

CONSENT CALENDAR

It was moved by Trustee Alpay, seconded by Trustee Bryson, and motion carried unanimously to approve the following Consent Calendar items:

Minutes of the February 6, 2012, special Board meeting and February 13, 2012, regular Board meeting.	Minutes Agenda Item 18
Adoption of a three-year Expulsion Plan.	Three-Year Expulsion Plan Agenda Item 19
Proposed 2012 Remedial High School Summer School Program.	Summer School Program Agenda Item 20
Donation of funds and equipment.	Donations Agenda Item 21
Ratification of special education Informal Dispute Resolution agreement for IDR case #14212.	Informal Dispute Resolution Agreement Agenda Item 23
Ratification of special education Informal Dispute Resolution agreement for IDR case #14412.	Informal Dispute Resolution Agreement Agenda Item 24
Renewal of a Use of Facilities Lease Agreement between the District and Community Roots Academy at Wood Canyon Elementary School for the 2012-2013 school year.	Lease Agreement Agenda Item 25
Renewal of a Use of Facilities Lease Agreement for 2012-2014 between the District and Niguel Children's Center at the Foxborough campus.	Lease Agreement Agenda Item 26
Renewal of a multi-year Use of Facilities Lease Agreement between the District and Journey School at the Foxborough campus.	Lease Agreement Agenda Item 27
E-Rate application for 2012-2013.	E-Rate Application Agenda Item 28
Second Amendment/Extension of the Lease Agreement with IQinVision, Incorporated for the current lease in Building C.	Lease Agreement Amendment/ Extension Agenda Item 29
Extension of the agreement for roofing repairs and maintenance to be provided by Pacific Roofing Systems	Roofing Agreement Extension Agenda Item 30

Resignations, retirements, and employment of classified personnel.

**Resignations/
Retirements/
Employment
(Classified
Personnel)
Agenda Item 31**

Resignations, retirements, and employment of certificated personnel.

**Resignations/
Retirements/
Employment
(Certificated
Personnel)
Agenda Item 32**

Payment to District master teachers who supported a student teacher during the 2011 fall semester.

**Master Teachers
Agenda Item 34**

Intern agreement with Cerritos Community College to offer a Speech-Language Pathology Assistant intern program.

**Intern Program
Agenda Item 35**

ROLL CALL: AYES: Trustees Addonizio, Alpay, Brick, Bryson, Hatton, Palazzo,
and Pritchard
NOES: None
ABSENT: Student Advisor Ryan Pallas
ABSTAIN: None

Trustee Addonizio asked staff to explain the approval of a \$30 million TRAN approval in January and now the request for the approval of a \$12.66 Bridge Transfer. Interim Superintendent Robyn Phillips responded the District will experience a cash flow shortage of approximately \$20 million by the end of the June. In January the Board approved the \$30 million TRAN that would cross the fiscal year. Now the County Board of Supervisors has offered a short-term loan from the county treasury to assist school districts with cash flow needs resulting from the county's recalculation of property taxes and state's deferral of apportionments. The loan is interest free with no cost to the District; reduces the TRAN borrowing amount; and addresses the cash flow shortfall in a more cost effective way to the District.

**Bridge Transfer
Agreement
Agenda Item 22**

Following discussion it was moved by Trustee Alpay, seconded by Trustee Bryson, and motion carried by a 5-2 vote to approve Resolution No. 1112-34 authorizing the District to participate in the Bridge Transfer Agreement.

AYES: Trustees Alpay, Brick, Bryson, Hatton, and Pritchard
NOES: Trustees Addonizio and Palazzo
ABSENT: Student Advisor Ryan Pallas
ABSTAIN: None

Trustee Hatton asked staff if the ideology and instructional models of student teachers is looked at when partnering with different educational universities because it is important it match the District's ideology and instructional models. Assistant Superintendent Jodee Brentlinger stated staff works with universities and student teachers and the reason the District partners with a university from outside of the Orange County area is the need to find teachers for hard-to-fill areas such as physics, physical sciences, chemistry, special education, and foreign languages. The District has a learning-to-teach continuum it uses to ensure it matches what the District is looking for, relative to what it expects master teachers to be sharing with their student teachers.

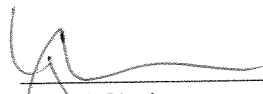
**Student Teaching
Agreement
Agenda Item 33**

It was moved by Trustee Hatton, seconded by Trustee Addonizio, and motion carried unanimously to approve the student teaching agreement with Biola University.

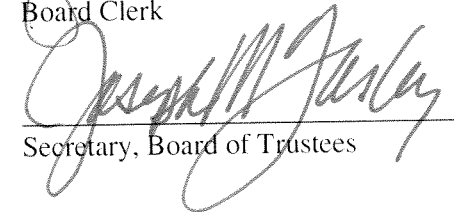
It was moved by Trustee Alpay, seconded by Trustee Hatton, and motion carried unanimously to adjourn the meeting.

Adjournment

President Pritchard announced the meeting adjourned at 8:17 p.m.



Board Clerk



Secretary, Board of Trustees

Minutes submitted by Jane Boos, Manager, Board Office Operations