

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

BOARD OF TRUSTEES
Regular Meeting

February 29, 2012

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. CONFERENCE WITH LABOR NEGOTIATORS

Joseph M. Farley/Jodee Brentlinger/Tim Holcomb/Robyn Phillips/
Julie Hatchel/Sara Jocham/Jeff Bristow

Employee Organizations:

- 1) Capistrano Unified Education Association (CUEA)
- 2) California School Employees Association (CSEA)
- 3) Teamsters
- 4) Unrepresented Employees (CUMA)

(Pursuant to Government Code §54957.6)

B. PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE

(Pursuant to Government Code §54957)

EXHIBIT 3B

C. PUBLIC EMPLOYEE APPOINTMENT/EMPLOYMENT

Autism Specialist-IBI Supervisor

(Pursuant to Government Code §54957)

EXHIBIT 3C

PUBLIC HEARING: Agenda Item #1 – Pupil-to-Teacher Waiver Request for Capistrano Connections Academy Charter School

PUBLIC HEARING: Agenda Item #3 – Pupil-to-Teacher Waiver Request for California Preparatory Academy

PUBLIC HEARING: Agenda Item #5 – Kindergarten Through Grade 3 Class Size Penalty Waiver Request

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

Captain Paul D'Auria for his service to the City of San Clemente

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 HEARINGS

1. PUPIL-TO-TEACHER WAIVER REQUEST FOR CAPISTRANO CONNECTIONS ACADEMY CHARTER SCHOOL: INFORMATION/ DISCUSSION

The Board will conduct a public hearing on the Pupil-to-Teacher Waiver Request for Capistrano Connections Academy Charter School. Supporting information is located in Exhibit 2.

CUSD Strategic Plan Pillar 3: Academic Achievement and Enrichment

Contact: Julie Hatchel, Assistant Superintendent, Education Services

Staff Recommendation

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

2. PUPIL-TO-TEACHER WAIVER REQUEST FOR CAPISTRANO CONNECTIONS ACADEMY CHARTER SCHOOL: DISCUSSION/ ACTION

This item requests the approval of the Pupil-to-Teacher Waiver Request for Capistrano Connections Academy Charter School. The District is seeking a renewal of the general waiver request of Education Code §71745.6 and California Code of Regulations, Title 5, §11704, and a portion of §11963.4(a)(3) to increase the pupil-to-teacher ratio from 25:1 to up to 27.5:1 at Capistrano Connections Academy Charter School. The revised ratio would allow resources to be redirected on other services for the direct benefit of students. The Board of Directors of Capistrano Connections Academy approved requesting renewal of the waiver at a board meeting on January 24, 2012.

CUSD Strategic Plan Pillar 3: Academic Achievement and Enrichment

Contact: Julie Hatchel, Assistant Superintendent, Education Services

Staff Recommendation

It is recommended the Board President recognize Julie Hatchel, Assistant Superintendent, Education Services, to present this item.

DISCUSSION/
ACTION
Page 1
EXHIBIT 2

It is recommended the Board of Trustees consider approval of the Pupil-to-Teacher Waiver Request for Capistrano Connections Academy Charter School.

Motion by _____ Seconded by _____

3. PUPIL-TO-TEACHER WAIVER REQUEST FOR CALIFORNIA PREPARATORY ACADEMY: INFORMATION/
DISCUSSION

The Board will conduct a public hearing on the Pupil-to-Teacher Waiver Request for California Preparatory Academy. Supporting information is located in Exhibit 4.

CUSD Strategic Plan Pillar 3: Academic Achievement and Enrichment

Contact: Julie Hatchel, Assistant Superintendent, Education Services

Staff Recommendation

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

4. PUPIL-TO-TEACHER WAIVER REQUEST FOR CALIFORNIA PREPARATORY ACADEMY: DISCUSSION/
ACTION

This item requests the approval of the Pupil-to-Teacher Waiver Request for California Preparatory Academy. The District is seeking a general waiver request of Education Code §71745.6 and California Code of Regulations, Title 5, §11704, and a portion of 11963.4(a)(3) to increase the pupil-to-teacher ratio from 25:1 to up to 34.5:1 at California Preparatory Academy. The revised ratio would allow resources to be redirected on other services for the direct benefit of students.

CUSD Strategic Plan Pillar 3: Academic Achievement and Enrichment

Contact: Julie Hatchel, Assistant Superintendent, Education Services

Staff Recommendation

It is recommended the Board President recognize Julie Hatchel, Assistant Superintendent, Education Services, to present this item.

It is recommended the Board of Trustees approve the Pupil-to-Teacher Waiver Request for California Preparatory Academy.

Motion by _____ Seconded by _____

5. KINDERGARTEN THROUGH GRADE 3 CLASS SIZE PENALTY WAIVER REQUEST: INFORMATION/
DISCUSSION

The Board will conduct a public hearing on Kindergarten Through Grade 3 Class Size Penalty Waiver Request. Supporting information is located in Exhibit 6.

CUSD Strategic Plan Pillar 3: Academic Achievement and Enrichment

Contact: Julie Hatchel, Assistant Superintendent, Education Services

Staff Recommendation

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

6. KINDERGARTEN THROUGH GRADE 3 CLASS SIZE PENALTY WAIVER REQUEST:

DISCUSSION/
ACTION
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EXHIBIT 6

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 of Education Code §41376 and §41378 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. The Achievement For All Advisory Committee supports this waiver request.

CUSD Strategic Plan Pillar 3: Academic Achievement and Enrichment

Contact: Julie Hatchel, Assistant Superintendent, Education Services

Staff Recommendation

It is recommended the Board President recognize Julie Hatchel, Assistant Superintendent, Education Services, to present this item.

It is recommended the Board of Trustees approve the Kindergarten through Grade 3 Class Size Penalty Waiver Request.

Motion by _____ Seconded by _____

DISCUSSION/ACTION ITEMS

7. RESOLUTION NO. 1112-33, RESERVING THE RIGHT TO MAKE 2012-2013 EMPLOYEE COMPENSATION REDUCTIONS:

DISCUSSION/
ACTION
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EXHIBIT 7

The State of California continues to project a budget shortfall for the 2012-2013 fiscal year. While the Governor’s May Budget Revision proposes “flat funding” for K-12 education, it does call for the elimination of transportation and assumes passage of a tax increase before voters in November 2012. The District currently projects a \$30 million shortfall if the tax increase passes and an additional \$18 million if it does not pass. Therefore, the District must continue to consider every option to ensure it develops and adopts a balanced budget by June 30, 2012.

Education Code §45032 and Education Code §45162(b) authorizes the governing board of a school district to increase the salaries of employees at any time during the school year on any date ordered by the governing board, but does not authorize decreases in salary during the school year.

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.

CUSD Strategic Plan Pillar 5: Effective Operations

Contact: Jodee Brentlinger, Assistant Superintendent, Personnel Services

Staff Recommendation

It is recommended the Board President recognize Jodee Brentlinger, Assistant Superintendent, Personnel Services, to present this item.

Following discussion, it is recommended the Board of Trustees 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.

Motion by _____	Seconded by _____
ROLL CALL:	
Student Advisor Ryan Pallas _____	
Trustee Addonizio _____	Trustee Bryson _____
Trustee Alpay _____	Trustee Hatton _____
Trustee Brick _____	Trustee Palazzo _____
	Trustee Pritchard _____

8. RESOLUTION NO 1112-35, REDUCTION OF CERTIFICATED EMPLOYEES, NON-MANAGEMENT AND MANAGEMENT PERSONNEL:

With the governor’s proposal, the District is anticipating a \$30 million shortfall as it prepares for 2012-2013. An additional shortfall of \$18 million will occur if the tax initiative fails. With personnel costs now exceeding 90 percent of the District’s total budget, the District must consider all options available in an effort to provide maximum flexibility during the budget development process. This includes preparing for the worst case scenario.

DISCUSSION/
ACTION
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EXHIBIT 8

Preparing for a significant budget shortfall creates the need to consider an increase in class size as well as the possibility of reducing or eliminating programs and services. Therefore, notices to certificated employees included in this item 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, 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.

CUSD Strategic Plan Pillar 5: Effective Operations

Contact: Jodee Brentlinger, Assistant Superintendent, Personnel Services

Staff Recommendation

It is recommended the Board President recognize Jodee Brentlinger, Assistant Superintendent, Personnel Services, to present this item.

Following discussion, it is recommended the Board of Trustees approve Resolution No. 1112-35, Reduction of Certificated Employees, Non-Management and Management Personnel and authorize the District to issue March 15 notices.

Motion by _____	Seconded by _____
ROLL CALL:	
Student Advisor Ryan Pallas _____	
Trustee Addonizio _____	Trustee Bryson _____
Trustee Alpay _____	Trustee Hatton _____
Trustee Brick _____	Trustee Palazzo _____
	Trustee Pritchard _____

9. CUEA CONTRACT REOPENER PROPOSAL:

On May 19, 2010, the Board formally adopted a three-year settlement agreement between the District and CUEA. The current contract is in effect from July 1, 2009, through June 30, 2012. Board Policy 4143.1, Public Notice–Issues of Meeting and Negotiations describes the steps to be taken by the Board and its authorized representatives in order to enter into a new agreement with an exclusive bargaining unit. The District is submitting its proposal to reopen so that 2012-2013 negotiations can be addressed within the context of current District and state economic challenges.

CUSD Strategic Plan Pillar 5: Effective Operations

Contact: Jodee Brentlinger, Assistant Superintendent, Personnel Services

Staff Recommendation

It is recommended the Board President recognize Jodee Brentlinger, Assistant Superintendent, Personnel Services, who will provide information on this item and answer any questions Trustees may have. This is an information item and no Board action is necessary.

INFORMATION/
DISCUSSION
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EXHIBIT 9

10. CSEA CONTRACT REOPENER PROPOSAL:

On September 28, 2010, the Board formally adopted a two-year settlement agreement between the District and Capistrano School Employee Association (CSEA). The current contract is in effect from July 1, 2010 through June 30, 2012. Board Policy 4143.1, Public Notice–Issues of Meeting and Negotiations describes the steps to be taken by the Board and its authorized representatives in order to enter into a new agreement with an exclusive bargaining unit. The District is submitting its proposal so that 2012-2013 negotiations can be addressed within the context of current District and state economic challenges.

CUSD Strategic Plan Pillar 5: Effective Operations

Contact: Jodee Brentlinger, Assistant Superintendent, Personnel Services

Staff Recommendation

It is recommended the Board President recognize Jodee Brentlinger, Assistant Superintendent, Personnel Services, who will provide information on this item and answer any questions Trustees may have. This is an information item and no Board action is necessary.

INFORMATION/
DISCUSSION
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EXHIBIT 10

11. TEAMSTERS CONTRACT REOPENER PROPOSAL:

On June 29, 2010, the Board formally adopted a three-year settlement agreement between the District and Teamsters. The current contract is in effect from July 1, 2009 through June 30, 2012. Board Policy 4143.1, Public Notice–Issues of Meeting and Negotiations describes the steps to be taken by the Board and its authorized representatives in order to enter into a new agreement with an exclusive bargaining unit. The District is submitting its proposal so that 2012-2013 negotiations can be addressed within the context of current District and state economic challenges.

CUSD Strategic Plan Pillar 5: Effective Operations

Contact: Jodee Brentlinger, Assistant Superintendent, Personnel Services

Staff Recommendation

It is recommended the Board President recognize Jodee Brentlinger, Assistant Superintendent, Personnel Services, who will provide information on this item and answer any questions Trustees may have. This is an information item and no Board action is necessary.

INFORMATION/
DISCUSSION
Page 25
EXHIBIT 11

12. TITLE III IMPROVEMENT PLAN ADDENDUM – YEAR FOUR:

In accordance with the Elementary and Secondary Education Act (ESEA) of 2001, districts that have failed to meet Title III Annual Measurable Achievement Objectives for two or four consecutive years are subject to sanctions pursuant to ESEA Title III requirements. Title III is a funding source provided for the sole use of assisting English learners to attain English proficiency, achieve academically, and meet the same academic standards as other students. Development of the Title III plan began with a needs assessment, established goals, and an action plan to meet the identified deficiencies. Since the District is in the fourth year of not meeting Federal academic achievement goals in English language arts and math, the plan will include a revision of the year-two plan. All expenditures are categorically funded from restricted accounts: EIA, Title III, and Title I professional development set-aside. There is no impact to the general fund.

CUSD Strategic Plan Pillar 3: Academic Achievement and Enrichment

Contact: Julie Hatchel, Assistant Superintendent, Education Services

Staff Recommendation

It is recommended the Board President recognize Julie Hatchel, Assistant Superintendent, Education Services, to present this item.

Following the discussion, it is recommended the Board of Trustees approve the Title III Improvement Plan Addendum – Year Four.

Motion by _____ Seconded by _____

DISCUSSION/
ACTION
Page 27
EXHIBIT 12

13. THIRD READING – REVISIONS TO BOARD POLICY 5141, CONDUCT:

Bullying and cyber bullying have become a growing national concern. In order to be effective in addressing this issue, administrators, staff, students, and parents need a clear definition and what steps should be taken if an offense occurs. Revisions to Board Policy 5141, *Conduct*, expand the current policy to update and clarify the current language. Proposed additions to the Board policy are underlined; deletions are struck through.

CUSD Strategic Plan Pillar 2: Safe and Healthy Schools

Contact: Julie Hatchel, Assistant Superintendent, Education Services

Staff Recommendation

It is recommended the Board President recognize Julie Hatchel, Assistant Superintendent, Education Services, to present this item.

Following discussion, it is recommended the Board of Trustees approve the revisions to Board Policy 5141, *Conduct*.

Motion by _____ Seconded by _____

DISCUSSION/
ACTION
Page 59
EXHIBIT 13

14. SECOND READING – REVISIONS TO BOARD POLICY 1311, CHARITABLE CONTRIBUTIONS – SOLICITING FROM DISTRICT PERSONNEL:

The revisions requested to Board Policy 1311 will ensure the policy meets practice. The proposed changes would allow the Superintendent or designee to authorize solicitation of employees for contributions to charitable organizations. Proposed additions to the Board policy are underlined; deletions are struck through.

CUSD Strategic Plan Pillar 1: Community Relations

Contact: Marcus Walton, Chief Communications Officer

Staff Recommendation

It is recommended the Board President recognize Marcus Walton, Chief Communications Officer, to present this item.

DISCUSSION/
ACTION
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EXHIBIT 14

Following discussion, it is recommended the Board of Trustees approve the revisions to Board Policy 1311, *Charitable Contributions-Soliciting from District Personnel*.

Motion by _____ Seconded by _____

15. SECOND READING – NEW BOARD POLICY 4033, LACTATION ACCOMMODATION:

DISCUSSION/
ACTION
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EXHIBIT 15

As employment laws change, it becomes necessary to update or create new policies. Board Policy 4033, *Lactation Accommodation*, is a new Board policy to establish District guidelines to meet legal compliance requirements. There is no financial impact.

CUSD Strategic Plan Pillar 5: Effective Operations

Contact: Jodee Brentlinger, Assistant Superintendent, Personnel Services

Staff Recommendation

It is recommended the Board President recognize Jodee Brentlinger, Assistant Superintendent, Personnel Services, to present this item.

Following discussion, it is recommended the Board of Trustees approve Board Policy 4033, *Lactation Accommodation*.

Motion by _____ Seconded by _____

16. SECOND READING – REVISION OF BOARD POLICY 5119, OPEN ENROLLMENT:

DISCUSSION/
ACTION
Page 71
EXHIBIT 16

Board Policy 5119, *Open Enrollment*, is being revised to update priority criteria for school placement. This update will allow siblings to continue to enroll beyond the published application deadline. There is no financial impact. Proposed additions to the Board policy are underlined; deletions are struck through.

CUSD Strategic Plan Pillar 1: Community Relations

Contact: Julie Hatchel, Assistant Superintendent, Education Services

Staff Recommendation

It is recommended the Board President recognize Julie Hatchel, Assistant Superintendent, Education Services, to present this item.

Following discussion, it is recommended the Board of Trustees approve Board Policy 5119, *Open Enrollment*.

Motion by _____ Seconded by _____

17. FIRST READING – REVISION OF BOARD POLICY 3315 – RELATIONS WITH VENDORS:

INFORMATION/
DISCUSSION
Page 75
EXHIBIT 17

Board Policy 3315, *Relations with Vendors*, 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. Proposed additions to the Board policy are underlined; deletions are struck through.

CUSD Strategic Plan Pillar 5: Effective Operations

Contact: Tim Holcomb, Interim Deputy Superintendent, Business and Support Services

Staff Recommendation

It is recommended the Board President recognize Tim Holcomb, Interim Deputy Superintendent, Business and Support Services, who will provide information on this item and answer any questions Trustees may have. This is an information item 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

18. **SCHOOL BOARD MINUTES:** Page 77
EXHIBIT 18
Approval of the amended minutes of the February 6, 2012, special Board meeting and the February 13, 2012, regular Board meeting.
Contact: Jane Boos, Manager, Board Office Operations

CURRICULUM & INSTRUCTION

19. **ADOPTION OF THREE-YEAR EXPULSION PLAN:** Page 87
EXHIBIT 19
The District is required to adopt a three-year Expulsion Plan that is developed in collaboration with Orange County school districts and the Orange County Department of Education (OCDE). OCDE in turn submits a three-year county plan to the California Department of Education. District staff has met with Orange County districts and the OCDE over the past few months to develop/update the District's Expulsion Plan. The previous plan was adopted by Trustees on February 9, 2009.
CUSD Strategic Plan Pillar 2: Safe and Healthy Schools
Contact: Julie Hatchel, Assistant Superintendent, Education Services

20. **PROPOSED 2012 REMEDIAL HIGH SCHOOL SUMMER SCHOOL PROGRAM:** Page 97
EXHIBIT 20
Approval for the Proposed 2012 Remedial High School Summer School Program. The Orange County Department of Education (OCDE) has offered to enroll up to 1,500 of our students in their Pacific Coast High School in order to make up college-prep, "A-G" coursework during summer 2012. Students enrolled in Pacific Coast High School would complete their studies online from their home or a public library. OCDE can accommodate another 1,000 of our students in the Alternative Community Correctional Education Schools and Services (ACCESS) program to remediate non-college prep credit deficiencies. Students participating in the ACCESS program would meet weekly with their instructor to turn in work and get new assignments. ACCESS instructors would be stationed on District high school campuses.

Since the OCDE programs do not offer College and Career Preparation (CCP) and Biology, both District graduation requirements, or Driver Education, an Education Code requirement, the District would offer these courses this summer. CCP would be taught through the District Adult Education program, utilizing APEX online licenses. Biology and Driver Education would be offered at San Clemente High School in a traditional classroom setting. The financial implication of this recommended program is estimated to be \$35,000.

CUSD Strategic Plan Pillar 3: Academic Achievement & Enrichment
Contact: Julie Hatchel, Assistant Superintendent, Education Services

BUSINESS & SUPPORT SERVICES

21. **DONATION OF FUNDS AND EQUIPMENT:** Page 99
EXHIBIT 21
A number of gifts have been donated to the District, including \$542,241.12 in cash. These funds will be deposited in the appropriate school accounts. Items other than cash gifts have no financial impact on the budget. The District does not guarantee maintenance of those items or the expenditure of any District funds for their continued use.
CUSD Strategic Plan Pillar 3: Academic Achievement & Enrichment
Contact: Robyn Phillips, Interim Deputy Superintendent, Business and Support Services

22. RESOLUTION NO. 1112-34, BRIDGE TRANSFER:

Approval of Resolution No. 1112-34 authorizes the District to participate in the Bridge Transfer Agreement. The County Board of Supervisors has authorized the County Treasurer to offer short-term loans to school districts to help bridge the cash flow difficulties resulting from the recalculation of the property tax paid to K-12 schools. The loans will be repaid to the County Treasurer when school districts receive "back-fill" funding from the state in July and August. Under the agreement, the Board of Supervisors will reimburse the districts for the interest cost on the borrowing.

The District is eligible for an estimated \$12.66 million in bridge transfer funding. By applying for these funds, the District will be able to reduce the size of the cross-year TRAN, thereby lowering the borrowing cost incurred to address the year-end cash flow problem.

CUSD Strategic Plan Pillar 5: Effective Operations

Contact: Robyn Phillips, Interim Deputy Superintendent, Business and Support Services

23. SPECIAL EDUCATION INFORMAL DISPUTE RESOLUTION AGREEMENT:

Approval of the ratification of a special education Informal Dispute Resolution (IDR) agreement. It is recommended the Board of Trustees ratify IDR case #14212. Due to the confidential nature of the agreement, supporting information is provided to the Trustees under separate cover.

CUSD Strategic Plan Pillar 3: Academic Achievement & Enrichment

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

24. SPECIAL EDUCATION INFORMAL DISPUTE RESOLUTION AGREEMENT:

Approval of a special education Informal Dispute Resolution (IDR) agreement. It is recommended the Board of Trustees approve IDR case #14412. Due to the confidential nature of the agreement, supporting information is provided to the Trustees under separate cover.

CUSD Strategic Plan Pillar 3: Academic Achievement & Enrichment

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

25. USE OF FACILITIES LEASE AGREEMENT FOR 2012-2013, COMMUNITY ROOTS ACADEMY:

Approval to renew a Use of Facilities Lease Agreement between the District and Community Roots Academy at Wood Canyon Elementary School for the 2012-2013 school year. Terms of this agreement include the use of eight existing classrooms on the school campus and ancillary facilities for one year from July 1, 2012, to June 30, 2013. Lease payments will be based upon a rental rate of \$0.70 per square foot of building area with a total of 7,680 square feet of space equating to \$5,376 per month for 12 months. Additionally, Community Roots Academy will be responsible for a share of utilities costs for the leased building area totaling \$1,066.40 per month for 12 months. The proposed agreement has been previously reviewed and approved by the District's legal counsel.

CUSD Strategic Plan Pillar 5: Effective Operations

Contact: Tim Holcomb, Interim Deputy Superintendent, Business and Support Services

26. FACILITIES LEASE AGREEMENT FOR 2012-2014, NIGUEL CHILDREN'S CENTER:

Approval to renew a Use of Facilities Lease Agreement for 2012-2014 between the District and Niguel Children's Center at the Foxborough campus. On May 12, 2008, the Board of Trustees approved a Use of Facilities Agreement with the Niguel Children's Center (NCC) for use of a portion of the facilities on the campus, including classrooms, a restroom, a play field, and parking spaces. The lease agreement was previously renewed in 2011 with a term ending June 30, 2012.

The renewal of this agreement allows the continued use of portable classrooms and ancillary facilities to operate the preschool program. Terms of this agreement include a two-year extension from July 1, 2012, to June 30, 2014. Lease payments will continue at the current rate of \$1.25 per square foot of building area with a total of 3,720 square feet of space being used by NCC, equating to \$4,650 per month for 10 months. Due to reduced enrollment in the months of July and August, the facilities use has been reduced to 2,160 square feet. The corresponding rent will equal \$2,700 per month for those two months. Additionally, NCC will continue to pay a percentage of the utility costs to Journey Charter School based upon an agreement between the two schools. Other than the term dates and length, the proposed agreement is unchanged from the 2011–2012 agreement and has been previously reviewed and approved by the District’s legal counsel.

CUSD Strategic Plan Pillar 5: Effective Operations

Contact: Tim Holcomb, Interim Deputy Superintendent, Business and Support Services

27. USE OF FACILITIES LEASE AGREEMENT FOR 2012-2015, JOURNEY SCHOOL:

Page 121
EXHIBIT 27

Approval to renew a multi-year Use of Facilities Lease Agreement between the District and Journey School at the Foxborough campus. The current agreement expires on June 30, 2012. The renewal of the agreement allows the continued use of portable classrooms and ancillary facilities and provides for a graduated classroom expansion over the next three years. Terms of this agreement include a three-year extension from July 1, 2012, to June 30, 2015.

CUSD Strategic Plan Pillar 5: Effective Operations

Contact: Tim Holcomb, Interim Deputy Superintendent, Business and Support Services

28. E-RATE APPLICATION FOR 2012-2013:

Page 135
EXHIBIT 28

Approval of the 2012-2013 E-Rate application. The Schools and Libraries Division (SLD) of the Universal Service Administrative Company provides affordable access to telecommunication services for all eligible schools and libraries in the United States via the federal E-Rate discount program. With the Trustees’ consent, the proposed E-Rate application with the bid selected contracts will be submitted to the SLD for final evaluation and approval. Board authorization of the E-Rate application is required before the application can be submitted to the SLD for review. The E-Rate application must be submitted to the SLD by March 20, 2012, to be considered for funding. SLD funding commitment letters will be awarded in the summer of 2012. Estimated expenditures for 2012-2013 utilizing discounts and these contracts are approximately \$856,000, funded by the general fund.

CUSD Strategic Plan Pillar 5: Effective Operations

Contact: Tim Holcomb, Interim Deputy Superintendent, Business and Support Services

29. SECOND AMENDMENT/EXTENSION OF LEASE AGREEMENT – IQINVISION:

Page 151
EXHIBIT 29

Approval of the Second Amendment/Extension of the Lease Agreement with IQinVision, Incorporated for the current lease in Building C. IQinVision’s broker, Voit, contacted Grubb & Ellis Company (the District’s broker used in the previous transaction) regarding a desire to amend/extend their current agreement with a lower rent and a longer term. Authorized by the Board of Trustees on January 9, 2012, Grubb & Ellis negotiated a lease amendment/extension that is favorable to both parties. The amendment/extension includes an additional 40 months on the term, a new expiration date of December 31, 2016, and a revised rent beginning at \$1.90 per square foot, per month. Additionally, the revised rent includes a \$.05 increase per year until the lease expires.

CUSD Strategic Plan Pillar 5: Effective Operations

Contact: Tim Holcomb, Interim Deputy Superintendent, Business and Support Services

30. **EXTENSION OF AGREEMENT FOR BID NO. 1011-10, ROOFING REPAIRS AND MAINTENANCE DISTRICTWIDE – ARCHITECTURAL ROOFING SYSTEMS, INCORPORATED, DBA PACIFIC ROOFING SYSTEMS:** Page 157
EXHIBIT 30

Approval of the extension of the agreement for roofing repairs and maintenance to be provided by Pacific Roofing Systems. The vendor was sent a letter requesting reduced pricing for the contract renewal term, March 9, 2012, through March 8, 2013. Even though the majority of the roof manufacturers have increased their material costs over the past calendar year, Pacific Roofing Systems offered reduced pricing on 40 items while holding their prices on the remaining 53 items.

This contract provides roof repairs and maintenance for all facilities throughout the District. Estimated annual expenditures utilizing this contract are approximately \$350,000, funded from the deferred maintenance, routine restricted maintenance, modernization, and site funds.

CUSD Strategic Plan Pillar 5: Effective Operations

Contact: Tim Holcomb, Interim Deputy Superintendent, Business and Support Services

PERSONNEL SERVICES

31. **RESIGNATIONS/RETIREMENTS/EMPLOYMENT – CLASSIFIED EMPLOYEES:** Page 177
EXHIBIT 31

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

32. **RESIGNATIONS/RETIREMENTS/EMPLOYMENT – CERTIFICATED EMPLOYEES:** Page 185
EXHIBIT 32

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

33. **STUDENT TEACHING AGREEMENT, BIOLA UNIVERSITY:** Page 197
EXHIBIT 33

Approval of a student teaching agreement with Biola University. During the school year, master teachers are selected to work with student teachers to fulfill the requirements for student teaching at various institutes of higher education. Student teaching is the fieldwork experience necessary to earn a California Teaching Credential.

CUSD Strategic Plan Pillar 5: Effective Operations

Contact: Jodee Brentlinger, Assistant Superintendent, Personnel Services

34. **MASTER TEACHER PAYMENT:** Page 199
EXHIBIT 34

Approval of payment to District master teachers who supported a student teacher during the 2011 fall semester. Student teachers from various universities are placed in the District throughout the school year. Current university agreements specify that institutions pay master teachers a nominal stipend for their supervision and support of student teachers. California State University, Fullerton has agreed to reimburse the District for all costs associated with compensating master teachers. The compensation amounts may differ as a result of including statutory costs.

CUSD Strategic Plan Pillar 5: Effective Operations

Contact: Jodee Brentlinger, Assistant Superintendent, Personnel Services

35. INTERN PROGRAM–SPEECH–LANGUAGE PATHOLOGY ASSISTANT, CERRITOS COMMUNITY COLLEGE:

Approval of an intern agreement with Cerritos Community College to offer a Speech-Language Pathology Assistant intern program. In order to meet the demand of providing qualified Speech-Language service providers, Personnel Services and the Special Education department have researched a variety of service delivery options. The recommended support system involves a one-on-one model where the Speech and Language Assistant is paired with a California certified Speech and Language teacher. There is no additional financial impact.

CUSD Strategic Plan Pillar 5: Effective Operations

Contact: Jodee Brenlinger, Assistant Superintendent, Personnel Services

Motion by _____ Seconded by _____

ROLL CALL:

Student Advisor Ryan Pallas _____

Trustee Addonizio _____

Trustee Alpay _____

Trustee Brick _____

Trustee Bryson _____

Trustee Hatton _____

Trustee Palazzo _____

Trustee Pritchard _____

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 MONDAY, MARCH 12, 2012, 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.