

CAPISTRANO UNIFIED SCHOOL DISTRICT
BOARD OF TRUSTEES
MINUTES – REGULAR MEETING
AUGUST 8, 2011
EDUCATION CENTER – BOARD ROOM

President Brick called the meeting to order at 5:30 p.m. The Board recessed to closed session to: discuss Public Employee Discipline/Dismissal/Release; Public Employee Appointment/Employment; confer with Legal Counsel regarding Existing Litigation; confer with Legal Counsel regarding Anticipated Litigation; discuss CSEA/CUEA/CUMA/Teamsters negotiations; discuss Student Expulsions (3 cases); and discuss Public Employee Performance Evaluation.

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

The Pledge of Allegiance was led by President Brick.

Present: Trustees Addonizio, Alpay, Brick, Bryson, Hatton, Palazzo, and Pritchard

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 carried by a 7-0 vote to adopt the Board agenda. **Adoption of the Board Agenda**

President Brick asked Vice President Pritchard to facilitate the meeting. **President's Announcement**

Trustee Pritchard reported the following action taken during closed session: **President's Report From Closed Session Meeting**

Agenda Item #3 A – Public Employee Discipline/Dismissal/Release: No action was taken.

Agenda Item #3 B1 – Public Employee Appointment/Employment:

The Board voted by a 7-0 vote to approve the appointment of Joshua Wellikson, Principal, Don Juan Avila Middle School.

AYES: Trustees Addonizio, Alpay, Brick, Bryson, Hatton, Palazzo, and Pritchard

NOES: None

Agenda Item #3 B2 – Public Employee Appointment/Employment:

The Board voted by a 7-0 vote to approve the appointment of David Carter, Executive Director, Fiscal Services.

AYES: Trustees Addonizio, Alpay, Brick, Bryson, Hatton, Palazzo, and Pritchard

NOES: None

**Agenda Item #3 C – Conference with Legal Counsel – Existing Litigation:
Lopez v. Capistrano Unified School District**

The Board voted by a 7-0 vote to authorize counsel to file a cross complaint in this matter.

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

Agenda Item #3 D – Conference with Legal Counsel – Anticipated Litigation:

The Board voted by a 7-0 vote to deny the request to present a late claim.

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

Agenda Item #3 E – CSEA/CUEA/CUMA/Teamsters Negotiations: No action was taken.

Agenda Item #3 F1-F3 – Student Expulsion by Stipulated Agreement:

The Board voted by a 7-0 vote to expel the following students by stipulated agreement:
Case #2011-111, #2011-112, and #2011-113.

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

Agenda Item #3 G – Public Employee Performance Evaluation – Superintendent:

No action was taken.

John Nichols and Allyson Ward were recognized for having perfect attendance from kindergarten through twelfth grade.

**Special
Recognitions**

Trustee Bryson referenced the recent Orange County Register article on Dr. Farley's first year in the District and commented she is pleased and proud to work with him.

**Board and
Superintendent
Comments**

Trustee Hatton congratulated Assistant Superintendent Julie Hatchel and her team for acquiring a waiver for supplemental educational services so the District can provide after-school tutoring rather than contracting outside providers for this service. Trustee Hatton stated she would like to agendize renaming the new online high school for marketing purposes. Trustees Alpay and Bryson both stated they would like to participate on the subcommittee if the Board decides to rename the school.

Trustee Palazzo thanked Executive Director Pam Watkins for answering her questions and the impromptu in-service on the District's transitional kindergarten program. Trustee Palazzo was pleased staff will be presenting a report on the transitional kindergarten plan in September.

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

**Oral
Communications**

There were no speakers.

DISCUSSION/ACTION

Assistant Superintendent Julie Hatchel stated the Academic Design and Delivery Initiative was a perfect fit for all students and was selected to close the achievement gap. Primarily focusing on the English learner, the Initiative was designed to provide teachers with an organizational tool of best instructional practices and peer coaching to maximize student achievement. Mrs. Hatchel commented the Academic Design and Delivery Initiative is funded with categorical funds. Preliminary results from the STAR testing indicate that the program is very successful. Mrs. Hatchel introduced Director Amy Bryant to present a PowerPoint end-of-the-year report. Dr. Bryant discussed the eight components of Sheltered Instruction Observation Protocol, participating schools, initiative outcomes, initiative targets, what worked well in year one, lessons learned, and the next steps.

**Academic Design
and Delivery
Initiative Report
Agenda Item 7**

Trustee Hatton requested staff present a more in-depth study session on this topic.

This item was pulled from the agenda on August 5, 2011, and will be brought back to the August 24, 2011, Board meeting.

**Community
Facilities District
Budgets
Agenda Item 8**

Deputy Superintendent Ron Lebs introduced Director Mike Patton who presented a PowerPoint of the new online electronic use of facilities scheduling and billing system. Mr. Patton explained the new process promotes and ensures accountability and uniformity of all facilities users. By eliminating the manual aspects of the system, accountability and consistent compliance with District policies regarding facility use will be enhanced. The new web-based system eliminates the need for schools to manually input data into school calendars and places all data entry responsibilities upon the requestor. This system improves efficiency and accuracy of the facility use process.

**Facilities Use
Program Update
Agenda Item 9**

Deputy Superintendent Ron Lebs reported this contract provides competitive, set pricing for the collection, recycling, and disposal of solid waste at all District sites and provides a more efficient method of collection and recycling.

**Trash Service
Bid Award
Agenda Item 10**

Following discussion, it was moved by Trustee Addonizio, seconded by Trustee Bryson, and motion carried unanimously to approve the award of bid for service to collect, recycle, and dispose of solid waste throughout the District to CR&R.

Deputy Superintendent Ron Lebs stated a request to authorize interfund loans between funds is made every year. Due to the nature of the current budget situation, it is necessary to secure flexibility to balance certain cash flow issues as they arise during fiscal year 2011-2012.

**Temporary
Interfund
Transfers
Agenda Item 11**

It was moved by Trustee Bryson, seconded by Trustee Hatton, and motion carried unanimously to approve Resolution No. 1112-10 authorizing temporary interfund transfers.

ROLL CALL: AYES: Trustees Addonizio, Alpay, Brick, Bryson, Hatton, Palazzo,
and Pritchard

NOES: None

ABSENT: None

ABSTAIN: None

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| Deputy Superintendent Ron Lebs reported there have been no changes to the report since last month. | Division of State Architect Agenda Item 12 |
| Prior to the consideration of the Consent Calendar, Deputy Superintendent Ron Lebs informed the Board of corrections to Resolution No. 1112-03 (page 154), and Resolution No. 1112-09 (page 202). The fiscal year should be 2011-2012 not 2010-2011 as typed on those pages. | Correction |
| Trustee Pritchard asked Trustees for items they wished to pull from the Consent Calendar. Items #19, #22, #42, and #43 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: | |
| Conflict of Interest Code Designated Filers amendment. | Conflict of Interest Code Amendment Agenda Item 13 |
| Expunging of expulsion record: Case #2011-033. | Expunging of Expulsion Records Agenda Item 14 |
| Readmission of students from expulsion: Case #2010-132 and #2011-039. | Expulsion Readmissions Agenda Item 15 |
| AP French Language and Culture. | Instruction Materials Agenda Item 16 |
| International Baccalaureate (IB) French IV Standard Level and IB French Higher Level. | Instruction Materials Agenda Item 17 |
| AP Computer Science. | Instruction Materials Agenda Item 18 |
| IB Biology Higher Level. | Instruction Materials Agenda Item 20 |
| California Interscholastic Federation representatives for 2011-2012. | CIF Representatives Agenda Item 21 |
| Resolution No. 1112-01, authorizing levy of Special Tax in CFD No. 87-1. | CFD 87-1 Agenda Item 23 |
| Resolution No. 1112-02, authorizing levy of Special Tax in CFD No. 88-1. | CFD 88-1 Agenda Item 24 |
| Resolution No. 1112-03, authorizing levy of Special Tax in CFD No. 90-2. | CFD 90-2 Agenda Item 25 |

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| Resolution No. 1112-04, authorizing levy of Special Tax within Improvement Area 2002-1 in CFD No. 90-2. | CFD 90-2 Agenda Item 26 |
| Resolution No. 1112-05, authorizing levy of Special Tax in CFD No. 92-1. | CFD 92-1 Agenda Item 27 |
| Resolution No. 1112-06, authorizing levy of Special Tax in CFD No. 94-1. | CFD 94-1 Agenda Item 28 |
| Resolution No. 1112-07, authorizing levy of Special Tax in CFD No. 98-1. | CFD 98-1 Agenda Item 29 |
| Resolution No. 1112-08, authorizing levy of Special Tax in CFD No. 98-2. | CFD 98-2 Agenda Item 30 |
| Resolution No. 1112-09, authorizing levy of Special Tax in CFD No. 2004-1. | CFD 2004-1 Agenda Item 31 |
| Revised facility use agreement with Oxford Preparatory Academy. | Oxford Preparatory Academy Agenda Item 32 |
| Calvary Chapel South County. | Rental Agreement Agenda Item 33 |
| Psychological assessments, Center for Learning & Behavioral Solutions, Incorporated. | Independent Contractor Agreement Agenda Item 34 |
| Independent educational evaluation services, Let's Talk Speech & Language Therapy. | Independent Contractor Agreement Agenda Item 35 |
| Independent educational evaluation services, Susanne Smith Roley. | Independent Contractor Agreement Agenda Item 36 |
| Independent educational evaluation services, Susan Meyers Fosnot. | Independent Contractor Agreement Agenda Item 37 |
| Speech and language services for the Learning Link program at Las Palmas Elementary School and San Juan Elementary School, Christine Stein. | Independent Contractor Agreement Agenda Item 38 |
| After School Education and Safety program at Viejo Elementary School, YMCA of Orange County. | Independent Contractor Agreement Agenda Item 39 |

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| After School Education and Safety program at Kinoshita Elementary School, YMCA of Orange County. | Independent Contractor Agreement Agenda Item 40 |
| After School Education and Safety program at R.H. Dana Elementary School, YMCA of Orange County. | Independent Contractor Agreement Agenda Item 41 |
| Beverage vending service, Coca-Cola Bottling Company of Southern California. | Agreement Extension Agenda Item 44 |
| Snack vending service, Vending+Plus. | Agreement Extension Agenda Item 45 |
| Piggyback with Redlands Unified School District Bid No. 4-11, Furniture, Filing, and Office Equipment, various vendors and manufacturers. | Furniture, Filing, Office Equipment Agenda Item 46 |
| Award of Bid No. 1112-01, Audio Visual Equipment to various vendors. | Audio Visual Equipment Agenda Item 47 |
| Advertise for bids for tree trimming maintenance services. | Tree Trimming Maintenance Services Agenda Item 48 |
| Resignations, retirements, and employment of classified personnel. | Resignations/Retirements/ Employment (Classified Personnel) Agenda Item 49 |
| Resignations, retirements, and employment of certificated personnel. | Resignations/Retirements/ Employment (Certificated Personnel) Agenda Item 50 |
| <p>ROLL CALL: AYES: Trustees Addonizio, Alpay, Brick, Bryson, Hatton, Palazzo, and Pritchard</p> <p>NOES: None</p> <p>ABSENT: None</p> <p>ABSTAIN: None</p> | |
| Trustee Bryson stated she was concerned the Instructional Materials Review Committee didn't more closely review the widely-used Introduction to Poetry by X.J. Kennedy and Dana Gioia when they made their selection. Trustee Bryson requested Introduction to Poetry be considered for Advanced Placement English Literature and Composition classes in the future. | Instruction Materials Agenda Item 19 |
| It was moved by Trustee Addonizio, seconded by Trustee Hatton, and motion carried by a 6-0 vote to approve AP English Literature and Composition. | |
| <p>AYES: Trustees Addonizio, Alpay, Brick, Hatton, Palazzo, and Pritchard</p> <p>NOES: Trustee Bryson</p> | |

Trustee Bryson questioned staff regarding checks paid to SDG&E; Tutoring Plus, Incorporated; and Corvel Corporation. Trustee Bryson asked staff when the last time SDG&E meters were checked and certified at school sites. Deputy Superintendent Ron Lebs replied he would research and report his findings. Trustee Bryson asked if staff had requested a 10 percent reduction from Tutoring Plus, Inc. for their services. Assistant Superintendent Julie Hatchel explained Tutoring Plus was an after-school program the District is mandated to provide due to NCLB legislation and was selected from a state list of vendors. Mr. Lebs reported Corvel Corporation is a third party workers comp claims' administrator and the checks were reimbursements for claims they had paid.

**Purchase
Orders/Warrants
Agenda Item 22**

It was moved by Trustee Bryson, seconded by Trustee Alpay, and motion carried unanimously to approve the purchase orders, warrants, and previously Board approved bids and contracts as listed.

Trustee Palazzo stated she is concerned about students from the Las Palmas and San Juan elementary school boundary areas who were not allowed to attend their home school, because they moved into the neighborhoods in or after first grade, but qualify to receive After School Education and Safety (ASES) program services. Assistant Superintendent Julie Hatchel stated she is researching if qualified students, who are not able to attend their home schools, can attend the ASES program. Mrs. Hatchel added she learned, from her research, that students currently attending Las Palmas and San Juan elementary schools can be prioritized for services based on academic need.

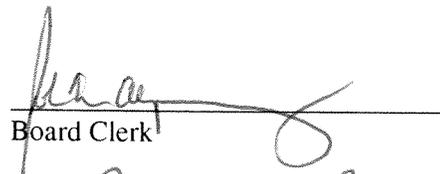
**Independent
Contractor
Agreement
Agenda Item 42 & 43**

Trustee Palazzo requested one motion and vote for both items.

It was moved by Trustee Palazzo, seconded by Trustee Bryson, and motion carried unanimously to approve the After School Education and Safety program at San Juan Elementary School, YMCA of Orange County and After School Education and Safety program at Las Palmas Elementary School, CampCo.

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

Vice President Pritchard announced the meeting adjourned at 8:16 p.m.


Board Clerk


Secretary, Board of Trustees