

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

BOARD OF TRUSTEES  
Regular Meeting

December 12, 2011

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 LEGAL COUNSEL – EXISTING LITIGATION**

Number of Cases – One

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

Superior Court of the State of California  
County of Orange – Central Justice Center  
Case No. 30-2011-00509680

**B. CONFERENCE WITH REAL PROPERTY NEGOTIATORS**

**EXHIBITS B**

Dr. Joseph M. Farley/Ron Lebs/Randy Rowles  
to provide direction on possible sale and terms for District property at:  
2 Liberty, Aliso Viejo, CA 92656  
*(Pursuant to Government Code §54956.8)*

**C. STUDENT EXPULSIONS**

**EXHIBITS 3C1-C5**

Deliberations of Findings of Fact and Recommendations  
*(Pursuant to Education Code §48918(c) and §35145)*

**D. CONFERENCE WITH LABOR NEGOTIATORS**

Joseph M. Farley/Jodee Brentlinger/Ron Lebs/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)*

**PUBLIC HEARING: Agenda Item #5 – Draft Plans for Trustee Area Boundary Redistricting**  
**PUBLIC HEARING: Agenda Item #7 – SELPA Annual Service Plan**  
**PUBLIC HEARING: Agenda Item #9 – Romero Bill/Open Enrollment Act 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**

**REORGANIZATION OF THE BOARD**

1. **REORGANIZATION OF BOARD – ELECTION OF PRESIDENT:** ACTION  
Vote \_\_\_\_\_
- The Capistrano Unified School District Board of Trustees is conforming to Education Code requirements by holding its annual organizational meeting at the December 12, 2011, meeting. Board Policy 9100, *Annual Organizational Meeting*, presents the order of business for this meeting. Agenda items 1 through 3 may be completed under this agenda item. There is no financial impact.  
*CUSD Strategic Plan Pillar 5: Effective Operations*  
*Contact: Joe Farley, Superintendent*

Staff Recommendation

**AGENDA ITEM 1**

The Superintendent will facilitate the election of the Board President. The Board may do this by oral nominations and voting, or by ballot after oral nominations are made.

**AGENDA ITEMS 2 & 3**

As soon as the new Board President is elected, he or she will immediately assume the role of President and will commence with the election of the Vice President and Clerk, then proceed with the other items on the evening's agenda.

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

2. **REORGANIZATION OF BOARD – ELECTION OF VICE PRESIDENT:** ACTION  
Vote \_\_\_\_\_
- Motion by \_\_\_\_\_ Seconded by \_\_\_\_\_
3. **REORGANIZATION OF BOARD – ELECTION OF CLERK:** ACTION  
Vote \_\_\_\_\_
- Motion by \_\_\_\_\_ Seconded by \_\_\_\_\_

**WINTER MUSIC PROGRAM**

*Aliso Niguel High School Madrigals -Under the Direction of Jason Harney*

**ASSOCIATED STUDENT BODY REPORT**

*Student Body President's Report – Dana Hills High School*

**BREAK**

**BOARD PRESIDENT PRESENTATION**

**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.

4. **SELECTION OF TRUSTEE PARTICIPATION ON VARIOUS COMMITTEES:** ACTION  
 Every year at the organizational meeting in December, Trustee assignments are made to various committees and other groups in which there is an expectation of Board representation. The supporting documentation is a listing of appointment assignments, with meeting date information, and the name or names of the Trustee who served on the committee during 2011. This agenda item requests the Board of Trustees select a member or members to serve on one or more of the committees during 2012. There is no financial impact. Page 1  
**CUSD Strategic Plan Pillar 5: Effective Operations**  
*Contact: Joe Farley, Superintendent* EXHIBIT 4

Staff Recommendation

It is recommended the Board of Trustees review the various committees as listed in the exhibit and reach a consensus and/or take a formal vote on which Trustees will participate on the various committees.

**PUBLIC HEARING**

5. **PUBLIC HEARING OF DRAFT PLANS FOR TRUSTEE AREA BOUNDARY REDISTRICTING:** INFORMATION/  
 The Board will conduct a public hearing on the draft plans for trustee area boundary DISCUSSION  
 redistricting. Supporting information is located in Exhibit 6.  
**CUSD Strategic Plan Pillar 5: Effective Operations**  
*Contact: Ron Lebs, Deputy Superintendent, Business and Support 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 this item, and after hearing any speakers, formally close the hearing before proceeding to the next agenda item.

6. **DRAFT PLANS FOR TRUSTEE AREA BOUNDARY REDISTRICTING:** INFORMATION/  
 On November 14, 2011, Trustees approved Resolution No. 1112-25, Establishing DISCUSSION  
 Criteria for Adjusting Trustee Area Boundaries. National Demographics Corporation, Page 3  
 which was selected through RFQ No. 5-1112, has been working on a set of draft plans EXHIBIT 6  
 for Trustee review and consideration in conjunction with this evening's scheduled public hearing.

Due to time constraints and printing deadlines, the draft plans will be posted on the District website on the Agenda & Supporting Documents 2011 page.

**CUSD Strategic Plan Pillar 5: Effective Operations**  
*Contact: Ron Lebs, Deputy Superintendent, Business and Support Services*

Staff Recommendation

It is recommended the Board President recognize Ron Lebs, Deputy Superintendent, Business and Support Services, to present this item.

Following discussion, it is recommended the Board of Trustees provide direction regarding the draft plans for Trustee area boundary redistricting.

7. **PUBLIC HEARING FOR CAPISTRANO UNIFIED SCHOOL DISTRICT SPECIAL EDUCATION LOCAL PLAN AREA ANNUAL SERVICE PLAN:** INFORMATION/  
 The Board will conduct a public hearing on the Capistrano Unified School District DISCUSSION  
 Special Education Local Plan Area Annual Service Plan. Supporting information is located in Exhibit 8.  
**CUSD Strategic Pillar 3: Academic Achievement & Enrichment**  
*Contact: Sara Jocham, Assistant Superintendent, SELPA and Special Education Operations*

Staff Recommendation

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

**8. CAPISTRANO UNIFIED SCHOOL DISTRICT SPECIAL EDUCATION LOCAL PLAN AREA ANNUAL SERVICE PLAN:**

DISCUSSION/  
ACTION  
Page 13  
**EXHIBIT 8**

Each Special Education Local Plan Area is obligated to submit an Annual Service Plan to the state. The Annual Service Plan is required to be adopted at a public hearing and must identify the Individualized Education Plan services the District intends to provide to students. The plan indicates services offered by the District at school locations within the District and at other public and private locations. It also requires adoption of the California State Management Information System number codes to represent services.

***CUSD Strategic Pillar 3: Academic Achievement & Enrichment***

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

Staff Recommendation

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

Following discussion, it is recommended the Board of Trustees approve the 2011-2012 SELPA Annual Service Plan.

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. PUBLIC HEARING FOR ROMERO BILL/OPEN ENROLLMENT ACT WAIVER REQUESTS:**

INFORMATION/  
DISCUSSION

The Board will conduct a public hearing on the Romero Bill/Open Enrollment Act Waiver Requests. Supporting information is located in Exhibit 10.

***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 this item, and after hearing any speakers, formally close the hearing before proceeding to the next agenda item.

**10. ROMERO BILL/OPEN ENROLLMENT ACT WAIVER REQUESTS:**

DISCUSSION/  
ACTION  
Page 35  
**EXHIBIT 10**

This item requests the Romero Bill/Open Enrollment Act Waiver Requests for the following schools identified on the 2012-2013 list based on 2011 Academic Performance Index (API) scores: Kinoshita, Marblehead, San Juan, and Viejo elementary schools. Senate Bill SBX5-4, referred to as the Romero Bill/Open Enrollment Act, requires the State Superintendent of Public Instruction to compile a list of California's 1,000 "low achieving" schools according to API scores. Students attending schools on the list are granted the right to transfer out of the District, although districts are encouraged to provide in-district transfer options as well. In constructing the list of 1,000 schools, no local educational agency can have more than 10 percent of its schools deemed as open enrollment/low achieving schools. As a result, schools with an API close to or over 800 were included on the list. The District is seeking a general waiver request of Education Code §48352 excluding Kinoshita, Marblehead, San Juan, and Viejo elementary schools from the low achieving schools list.

***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 a public hearing, it is recommended the Board of Trustees approve the General Waiver Requests to waive Education Code §48352, excluding Kinoshita, Marblehead, San Juan, and Viejo elementary schools from the 2012-2013 list of low achieving schools.

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

**DISCUSSION/ACTION ITEMS**

**11. CHARTER SCHOOL MATERIAL REVISION REQUEST - OXFORD PREPARATORY ACADEMY:**

Oxford Preparatory Academy (OPA) submitted a request for a Material Revision to their existing charter, which was authorized by the District’s Board of Trustees for an initial five-year term on March 8, 2010. In accordance with Education Code §47607, material revisions of a charter require the approval of the authority that granted the charter and are governed by the standards and criteria in Education Code §47605.

As the authority that granted OPA’s charter, the Board of Trustees must hold a public hearing on the provisions of the charter no later than 30 days after receiving the petition and must decide whether to grant or deny the request for material revision within 60 days of its receipt of the petition. OPA is seeking to materially revise its charter in the following ways:

1. Increase enrollment from 628 to 772 beginning with the 2012-2013 school year and continuing for each of the remaining school year in the current charter term
2. CUSD representative to the charter board, may serve as a voting member
3. Board meetings to alternate among all campuses operated by OPA
4. The non-profit corporation’s bylaws require quarterly meetings
5. Replace board position titles of “President” and “Vice President” with “Chairman” and “Vice Chairman”

***CUSD Strategic Plan Pillar 3: Academic Achievement & Enrichment***

***Contact: Ron Lebs, Deputy Superintendent, Business and Support Services***

Staff Recommendation

It is recommended the Board President recognize Ron Lebs, Deputy Superintendent, Business and Support Services, to present this item.

Following discussion, it is recommended the Board of Trustees receive the Material Revision request and schedule a public hearing on the provisions of the charter on January 9, 2012, for the Trustees to consider the level of support for the petition by District teachers, employees, and parents.

Motion by _____	Seconded by _____
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DISCUSSION/  
ACTION  
Page 55  
**EXHIBIT 11**

**12. CERTIFICATION OF THE 2011-2012 FIRST INTERIM REPORT AND ADOPTION OF RESOLUTION NO. 1112-27, 2011-2012 REVENUE AND EXPENDITURE INCREASES/DECREASES:**

DISCUSSION/  
ACTION  
Page 61  
**EXHIBIT 12**

Approval of the certification of the 2011-2012 First Interim Report and adoption of Resolution No. 1112-27, 2011-2012 Revenue and Expenditure Increases/Decreases. In accordance with Education Code §42130, school districts are required to prepare and submit Interim Financial Reports to the governing board. Resolution No. 1112-27 adjusts the various fund budgets to reflect the First Interim Report. The purpose of these reports is to satisfy appropriate State and County Office of Education officials as to whether or not a district will be able to meet its financial obligations for the remainder of the fiscal year. Additionally, as required by AB 2756, districts must certify that minimum reserve levels are projected to be met in the two subsequent fiscal years.

*CUSD Strategic Plan Pillar 5: Effective Operations*

*Contact: Ron Lebs, Deputy Superintendent, Business and Support Services*

Staff Recommendation

It is recommended the Board President recognize Ron Lebs, Deputy Superintendent, Business and Support Services, to present this item.

Following discussion, it is recommended the Board of Trustees approve the certification of the 2011-2012 First Interim Report and adoption of Resolution No. 1112-27, 2011-2012 Revenue and Expenditure Increases/Decreases.

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

**13. FISCAL YEAR 2012-2013 BUDGET DEVELOPMENT, PRELIMINARY BUDGET DEVELOPMENT CALENDAR, AND REVIEW OF THE 2011-2012 BUDGET GUIDELINES AND BUDGET ASSUMPTIONS:**

DISCUSSION/  
ACTION  
Page 229  
**EXHIBIT 13**

This agenda item presents for Board consideration a preliminary 2012-2013 budget calendar and the 2011-2012 (current year) budget guidelines and assumptions. The 2011-2012 guidelines and assumptions are presented herein for information purposes and to elicit any input or revisions Trustees may wish to make prior to development of the fiscal 2012-2013 budget guidelines and assumptions. The information contained in the guidelines and assumptions will be updated and revised to reflect the Governor’s January budget proposal and will be brought back to Trustees for consideration and approval on February 13, 2012.

The 2012-2013 Preliminary Budget Calendar of key dates and activities is referenced as Attachment 1, and the preliminary guidelines and assumptions are referenced as Attachments 2 and 3 respectively.

*CUSD Strategic Plan Pillar 5: Effective Operations*

*Contact: Ron Lebs, Deputy Superintendent, Business and Support Services*

Staff Recommendation

It is recommended the Board President recognize Ron Lebs, Deputy Superintendent, Business and Support Services, to present this item.

Following discussion, it is recommended the Board of Trustees approve the 2012-2013 Preliminary Budget Calendar and provide direction to staff regarding the budget guidelines and assumptions.

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

**14. SCHOOL BOARD MEETING SCHEDULE FOR JULY THROUGH DECEMBER:**

Regular Board meetings are held on the second Monday and fourth Wednesday of each month. This agenda item presents to the Board of Trustees the proposed schedule of meetings for the period July through December 2012. Due to Yom Kippur on the fourth Wednesday, the second Board meeting in September was moved to the fourth Monday and the one meeting in December is scheduled on the third Monday due to Hanukkah and the Winter Recess.

*Contact: Joseph M. Farley, Superintendent*

Staff Recommendation

It is recommended the Board of Trustees approve the proposed July through December 2012 School Board Meeting Schedule.

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

**15. MEMORANDUM OF UNDERSTANDING WITH SADDLEBACK COLLEGE:**

San Juan Hills High School and Saddleback Community College have developed this joint Memorandum of Understanding to provide guidelines as we work together to implement a comprehensive pilot program to enhance student preparedness and success at Saddleback College. There is no financial impact.

*CUSD Strategic Plan Pillar 1: Community Relations*

*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 discussion, it is recommended the Board of Trustees approve the Memorandum of Understanding with Saddleback College.

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

**16. SECOND READING - REVISIONS TO BOARD POLICY 5141, CONDUCT:**

Bullying and cyber bullying has become a growing national concern. In order to be effective in dealing with this issue, administrators, staff, students, and parents need to be clear of its definition and what steps should be taken if an offense occurs. Revisions to Board Policy 5141 expands the current policy to address bullying. These revisions will also 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 that the Board President recognize Julie Hatchel, Assistant Superintendent, Education Services, who will present this item.

DISCUSSION/  
ACTION  
Page 249  
**EXHIBIT 14**

DISCUSSION/  
ACTION  
Page 251  
**EXHIBIT 15**

DISCUSSION/  
ACTION  
Page 253  
**EXHIBIT 16**

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

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

**17. DIVISION OF STATE ARCHITECT UPDATE:**

Update of progress of the Division of State Architect Construction and Project listing. There is no financial impact at this time. There will be a fee to reopen the closed applications to finalize and close them with certification when all documentation is completed. There is no change from the information provided to the Board of Trustees at its November 14, 2011, meeting.

*CUSD Strategic Plan Pillar 2: Safe and Healthy Schools*

*Contact: Ron Lebs, Deputy Superintendent, Business & Support Services*

Staff Recommendation

It is recommended the Board President recognize Ron Lebs, Deputy Superintendent, Business and Support Services, to provide the DSA Update and answer any questions the Board of Trustees may have. This is an information item only 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:**

Approval of the minutes of the November 30, 2011, regular Board meeting.

*Contact: Jane Boos, Manager, Board Office Operations*

**CURRICULUM & INSTRUCTION**

**19. PETITION TO WAIVE CALIFORNIA HIGH SCHOOL EXIT EXAM:**

Approval to waive California Education Code §60851(c) and Board Policy 6162.52 in accordance with §60851(c) for three students who have completed all requirements for passing the California High School Exit Examination (CAHSEE) subtest in Mathematics and/or English/Language Arts, case numbers 1112-005 through 1112-007. California Education Code §60851(c) and Board Policy 6162.52 provide authority for the Board of Trustees to review and approve waivers for special education students to pass the CAHSEE with modifications stated in the pupil's Individualized Education Program. Supporting information for this item is provided to Trustees under separate cover so that individual student rights under the Family Educational Rights and Privacy Act are protected.

*CUSD Strategic Plan Pillar 3: Academic Achievement and Enrichment*

*Contact: Julie Hatchel, Assistant Superintendent, Education Services*

**20. EXPUNGING OF EXPULSION RECORD:**

Approval of expunging a student record. Due to the confidential nature of expunging a student expulsion record, the supporting information is provided to Trustees under separate cover.

*CUSD Strategic Plan Pillar 2: Safe and Healthy Schools*

*Contact: Julie Hatchel, Assistant Superintendent, Education Services*

INFORMATION/  
DISCUSSION  
Page 261  
**EXHIBIT 17**

Page 263  
**EXHIBIT 18**



**21. INFORMAL DISPUTE RESOLUTION AGREEMENTS:**

Approval of the ratification of special education Informal Dispute Resolution (IDR) agreements. It is recommended that the Board of Trustees ratify IDR case #102911 and IDR case #113111. Due to the confidential nature of the agreements, details of each case are on file in the special education office. There is no financial impact.

*CUSD Strategic Plan Pillar 3: Academic Achievement & Enrichment*

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

**22. MEMBERS OF THE SPECIAL EDUCATION LOCAL PLAN AREA COMMUNITY ADVISORY COMMITTEE:**

Approval of the appointment of candidates to serve as Community Advisory Committee (CAC) voting members for the 2012 and 2013 calendar years. In accordance with the California Education Code §56190, each Special Education Local Plan Area (SELPA) shall establish a CAC with parents of special education students forming the majority. Based on the bylaws of the SELPA, a committee of voting members is established annually, comprised of District parents, teachers, administrators, and community representatives who serve District students. The term of appointment for voting members is two years, staggered annually. This agenda item requests Board approval to appoint Robin Fox, Kelly McKinnon, Janette Morey, and Jill Rose as CAC voting members for the 2012 and 2013 calendar years.

*CUSD Strategic Plan Pillar 1: Community Relations*

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

**BUSINESS & SUPPORT SERVICES**

**23. PURCHASE ORDERS, COMMERCIAL WARRANTS, AND PREVIOUSLY BOARD-APPROVED BIDS AND CONTRACTS:**

Page 271  
**EXHIBIT 23**

Approval of purchase orders (Attachment 1) and commercial warrants (Attachment 2). The purchase orders and commercial warrants included in this item have previously been authorized as part of the District's budget approval process. The purchase orders total \$6,083,407.02; the commercial warrants total \$14,075,121.65. Attachment 3 is a list of previously Board-approved bids and contracts to assist in the review of the purchase order and commercial warrant listings.

*CUSD Strategic Plan Pillar 3: Academic Achievement & Enrichment*

*CUSD Strategic Plan Pillar 5: Effective Operations*

*Contact: Ron Lebs, Deputy Superintendent, Business & Support Services*

**24. RATIFICATION CHANGE ORDERS #1 THROUGH #4 – BID NO. 1011-11, CAPISTRANO VALLEY HIGH SCHOOL PERFORMING ARTS THEATER:**

Page 309  
**EXHIBIT 24**

Ratification of change orders #1 through #4 related to the construction of the performing arts theater at Capistrano Valley High School. The Board of Trustees gave the Superintendent the authority to approve work orders involving a change in the cost of the contract that does not exceed \$25,000. This change may consist of additions, deletions, or other revisions, and the contract amount being adjusted accordingly. All such changes in the work are performed under the applicable conditions of the contract documents. The approved work orders and the resulting change orders are shown in the attachment. The original contract sum was \$11,975,007. The new contract sum including change orders #1 through #4 is \$12,075,249.

Due to the large volume of supporting documentation, the back-up documentation for each change order will be posted online on the District's Board Agendas and Supporting Documentation page.

*CUSD Strategic Plan Pillar 5: Effective Operations*

*Contact: Ron Lebs, Deputy Superintendent, Business and Support Services*

25. **RATIFICATION CHANGE ORDERS #3 THROUGH #14 – BID NO. 1011-09, SAN JUAN HILLS HIGH SCHOOL 30-METER POOL AND SUPPORT BUILDINGS:** Page 319  
EXHIBIT 25

Ratification of change orders #3 through #14 related to the construction of the 30-meter pool and support buildings at San Juan Hills High School. The Board of Trustees gave the Superintendent the authority to approve work orders involving a change in the cost of the contract that does not exceed \$25,000. This change may consist of additions, deletions, or other revisions, and the contract amount being adjusted accordingly. All such changes in the work are performed under applicable conditions of the contract documents. The approved work orders and the resulting change orders are shown in the attachment. The original contract sum was \$3,023,000. The new contract sum including change orders #1 through #14 is \$3,210,193.

Due to the large volume of supporting information, the back-up documentation for each change order will be posted online on the District's Board Agendas and Supporting Documentation page.

*CUSD Strategic Plan Pillar 5: Effective Operations*

*Contact: Ron Lebs, Deputy Superintendent, Business and Support Services*

26. **MASTER CONTRACT – TERI INCORPORATED AND THE COUNTRY SCHOOL, A NON-PUBLIC SCHOOL:** Page 341  
EXHIBIT 26

Approval of a master contract for special education services to be provided by TERI Incorporated and the Country School, a non-public school. Tuition varies from \$125.08 per day to \$235.01 per day based on the level of adult support needed for each individual student. These services are outlined in the agreement and will be paid out of special education funds. The total expenditures under this contract cannot be determined at this time, as it is unknown how many special education students would require the services provided by this vendor. The actual dollar amount and budget code will be determined by purchase order submitted for Board approval.

*CUSD Strategic Plan Pillar 3: Academic Achievement & Enrichment*

*Contact: Ron Lebs, Deputy Superintendent, Business and Support Services*

27. **INDEPENDENT CONTRACTOR AGREEMENT – EVALUATION SERVICES FOR AFTER SCHOOL EDUCATION AND SAFETY PROGRAMS, CENTER FOR GRANTS AND EVALUATION, INCORPORATED:** Page 359  
EXHIBIT 27

Approval of an independent contractor agreement with Center for Grants and Evaluation, Incorporated to provide evaluation services for after school education and safety programs. Center for Grants and Evaluation will provide services at the rates indicated on the fee schedule for the 2011-2012 school year. Scheduled services under this contract are estimated to be \$2,000, funded by Title I.

*CUSD Strategic Plan Pillar 3: Academic Achievement & Enrichment*

*Contact: Ron Lebs, Deputy Superintendent, Business and Support Services*

28. **INDEPENDENT CONTRACTOR AGREEMENT – SUPPLEMENTAL EDUCATIONAL SERVICES, CARNEY EDUCATIONAL SERVICES:** Page 367  
EXHIBIT 28

Approval of an independent contractor agreement with Carney Educational Services to provide No Child Left Behind Supplemental Educational Services. Carney Educational Services will provide tutoring services at the rates indicated on the fee schedule for the 2011-2012 school year. Scheduled services under this contract are estimated to be \$9,637.40, funded by Title I.

*CUSD Strategic Plan Pillar 3: Academic Achievement & Enrichment*

*Contact: Ron Lebs, Deputy Superintendent, Business and Support Services*

29. **INDEPENDENT CONTRACTOR AGREEMENT – SUPPLEMENTAL EDUCATIONAL SERVICES, BASIC EDUCATIONAL SERVICES TEAM, INCORPORATED:** Page 377  
**EXHIBIT 29**  
Approval of an independent contractor agreement with Basic Educational Services Team, Incorporated to provide No Child Left Behind Supplemental Educational Services. Basic Educational Services Team will provide tutoring services at the rates indicated on the fee schedule for the 2011-2012 school year. Scheduled services under this contract are estimated to be \$9,637.40, funded by Title I.  
*CUSD Strategic Plan Pillar 3: Academic Achievement & Enrichment*  
*Contact: Ron Lebs, Deputy Superintendent, Business and Support Services*
30. **INDEPENDENT CONTRACTOR AGREEMENT – SUPPLEMENTAL EDUCATIONAL SERVICES, ATS PROJECT SUCCESS:** Page 387  
**EXHIBIT 30**  
Approval of an independent contractor agreement with ATS Project Success to provide No Child Left Behind Supplemental Educational Services. ATS Project Success will provide tutoring services at the rates indicated on the fee schedule for the 2011-2012 school year. Scheduled services under this contract are estimated to be \$9,637.40, funded by Title I.  
*CUSD Strategic Plan Pillar 3: Academic Achievement & Enrichment*  
*Contact: Ron Lebs, Deputy Superintendent, Business and Support Services*
31. **INDEPENDENT CONTRACTOR AGREEMENT – SUPPLEMENTAL EDUCATIONAL SERVICES, ARIBBA! EDUCATION:** Page 397  
**EXHIBIT 31**  
Approval of an independent contractor agreement with Aribba! Education to provide No Child Left Behind Supplemental Educational Services. Aribba! Education will provide tutoring services at the rates indicated on the fee schedule for the 2011-2012 school year. Scheduled services under this contract are estimated to be \$9,637.40, funded by Title I.  
*CUSD Strategic Plan Pillar 3: Academic Achievement & Enrichment*  
*Contact: Ron Lebs, Deputy Superintendent, Business and Support Services*
32. **INDEPENDENT CONTRACTOR AGREEMENT – PROFESSIONAL DEVELOPMENT, CALIFORNIA SCHOOL-AGE CONSORTIUM:** Page 407  
**EXHIBIT 32**  
Approval of an independent contractor agreement with California School-Age Consortium (CalSAC) to provide professional development, support, and curriculum for hands-on science and engineering for the afterschool program at San Juan and Kinoshita elementary schools. CalSAC will provide services at the rates indicated on the fee schedule for the 2011-2012 school year. Scheduled services under this contract are estimated to be \$1,700, funded by Title I.  
*CUSD Strategic Plan Pillar 3: Academic Achievement & Enrichment*  
*Contact: Ron Lebs, Deputy Superintendent, Business and Support Services*
33. **INDEPENDENT CONTRACTOR AGREEMENT – SUPPLEMENTAL EDUCATIONAL SERVICES, APPLIED SCHOLASTICS INTERNATIONAL:** Page 419  
**EXHIBIT 33**  
Approval of an independent contractor agreement with Applied Scholastics International to provide No Child Left Behind Supplemental Educational Services. Applied Scholastics International will provide tutoring services at the rates indicated on the fee schedule for the 2011-2012 school year. Scheduled services under this contract are estimated to be \$9,637.40, funded by Title I.  
*CUSD Strategic Plan Pillar 3: Academic Achievement & Enrichment*  
*Contact: Ron Lebs, Deputy Superintendent, Business and Support Services*

34. **INDEPENDENT CONTRACTOR AGREEMENT – SUPPLEMENTAL EDUCATIONAL SERVICES, ACE TUTORING SERVICES, INCORPORATED:** Page 429  
**EXHIBIT 34**  
Approval of an independent contractor agreement with Ace Tutoring Services, Incorporated to provide No Child Left Behind Supplemental Educational Services. Ace Tutoring Services will provide tutoring services at the rates indicated on the fee schedule for the 2011-2012 school year. Scheduled services under this contract are estimated to be \$9,637.40, funded by Title I.  
*CUSD Strategic Plan Pillar 3: Academic Achievement & Enrichment*  
*Contact: Ron Lebs, Deputy Superintendent, Business and Support Services*
35. **INDEPENDENT CONTRACTOR AGREEMENT – SUPPLEMENTAL EDUCATIONAL SERVICES, ACE IT! TUTORING POWERED BY SYLVAN:** Page 439  
**EXHIBIT 35**  
Approval of an independent contractor agreement with Ace It! Tutoring Powered by Sylvan to provide No Child Left Behind Supplemental Educational Services. Ace It! Tutoring Powered by Sylvan will provide tutoring services at the rates indicated on the fee schedule for the 2011-2012 school year. Scheduled services under this contract are estimated to be \$9,637.40, funded by Title I.  
*CUSD Strategic Plan Pillar 3: Academic Achievement & Enrichment*  
*Contact: Ron Lebs, Deputy Superintendent, Business and Support Services*
36. **INDEPENDENT CONTRACTOR AGREEMENT – SUPPLEMENTAL EDUCATIONAL SERVICES, SYLVAN LEARNING CENTER OF LAGUNA NIGUEL:** Page 449  
**EXHIBIT 36**  
Approval of an independent contractor agreement with Sylvan Learning Center of Laguna Niguel to provide No Child Left Behind Supplemental Educational Services. Sylvan Learning Center will provide tutoring services at the rates indicated on the fee schedule for the 2011-2012 school year. Scheduled services under this contract are estimated to be \$9,637.40, funded by Title I.  
*CUSD Strategic Plan Pillar 3: Academic Achievement & Enrichment*  
*Contact: Ron Lebs, Deputy Superintendent, Business and Support Services*
37. **INDEPENDENT CONTRACTOR AGREEMENT – SUPPLEMENTAL EDUCATIONAL SERVICES, CLUB Z! IN-HOME TUTORING SERVICES, INCORPORATED:** Page 459  
**EXHIBIT 37**  
Approval of an independent contractor agreement with Club Z! In-Home Tutoring Services, Incorporated to provide No Child Left Behind Supplemental Educational Services. Club Z! will provide tutoring services at the rates indicated on the fee schedule for the 2011-2012 school year. Scheduled services under this contract are estimated to be \$9,637.40, funded by Title I.  
*CUSD Strategic Plan Pillar 3: Academic Achievement & Enrichment*  
*Contact: Ron Lebs, Deputy Superintendent, Business and Support Services*
38. **INDEPENDENT CONTRACTOR AGREEMENT – SUPPLEMENTAL EDUCATIONAL SERVICES, APRENDE! TUTORING:** Page 469  
**EXHIBIT 38**  
Approval of an independent contractor agreement with Aprende! Tutoring to provide No Child Left Behind Supplemental Educational Services. Aprende! Tutoring will provide tutoring services at the rates indicated on the fee schedule for the 2011-2012 school year. Scheduled services under this contract are estimated to be \$9,637.40, funded by Title I.  
*CUSD Strategic Plan Pillar 3: Academic Achievement & Enrichment*  
*Contact: Ron Lebs, Deputy Superintendent, Business and Support Services*

39. **INDEPENDENT CONTRACTOR AGREEMENT – VISUAL TOOLS STRATEGY TRAINING, KASEY A. KLAPPENBACK:** Page 479  
**EXHIBIT 39**  
Approval of an independent contractor agreement with Kasey A. Klappenback to provide training for District teachers on strategies using visual tools to enhance language acquisition, academic language, comprehension, and writing at Kinoshita and Viejo elementary schools. The contractor will provide services at the rates indicated on the fee schedule for the 2011-2012 school year. Scheduled services under this contract are estimated to be \$2,400, funded by Title I.  
*CUSD Strategic Plan Pillar 3: Academic Achievement & Enrichment*  
*Contact: Ron Lebs, Deputy Superintendent, Business and Support Services*
40. **INDEPENDENT CONTRACTOR AGREEMENT – SUPPLEMENTAL EDUCATIONAL SERVICES, XAMAZE IN HOME TUTORING:** Page 487  
**EXHIBIT 40**  
Approval of an independent contractor agreement with Xamaze in Home Tutoring to provide No Child Left Behind Supplemental Educational Services. Xamaze in Home Tutoring will provide tutoring services at the rates indicated on the fee schedule for the 2011-2012 school year. Scheduled services under this contract are estimated to be \$9,637.40, funded by Title I.  
*CUSD Strategic Plan Pillar 3: Academic Achievement & Enrichment*  
*Contact: Ron Lebs, Deputy Superintendent, Business and Support Services*
41. **INDEPENDENT CONTRACTOR AGREEMENT – SUPPLEMENTAL EDUCATIONAL SERVICES, UROK LEARNING INSTITUTE:** Page 497  
**EXHIBIT 41**  
Approval of an independent contractor agreement with UROK Learning Institute to provide No Child Left Behind Supplemental Educational Services. UROK Learning Institute will provide tutoring services at the rates indicated on the fee schedule for the 2011-2012 school year. Scheduled services under this contract are estimated to be \$9,637.40, funded by Title I.  
*CUSD Strategic Plan Pillar 3: Academic Achievement & Enrichment*  
*Contact: Ron Lebs, Deputy Superintendent, Business and Support Services*
42. **INDEPENDENT CONTRACTOR AGREEMENT – SUPPLEMENTAL EDUCATIONAL SERVICES, TEACH-N-TUTOR, INCORPORATED:** Page 507  
**EXHIBIT 42**  
Approval of an independent contractor agreement with Teach-n-Tutor, Incorporated to provide No Child Left Behind Supplemental Educational Services. Teach-n-Tutor will provide tutoring services at the rates indicated on the fee schedule for the 2011-2012 school year. Scheduled services under this contract are estimated to be \$9,637.40, funded by Title I.  
*CUSD Strategic Plan Pillar 3: Academic Achievement & Enrichment*  
*Contact: Ron Lebs, Deputy Superintendent, Business and Support Services*
43. **INDEPENDENT CONTRACTOR AGREEMENT – SUPPLEMENTAL EDUCATIONAL SERVICES, SPECTRUM SOLUTIONS, LLC:** Page 517  
**EXHIBIT 43**  
Approval of an independent contractor agreement with Spectrum Solutions, LLC, to provide No Child Left Behind Supplemental Educational Services. Spectrum Solutions will provide tutoring services at the rates indicated on the fee schedule for the 2011-2012 school year. Scheduled services under this contract are estimated to be \$44,332.04, funded by Title I.  
*CUSD Strategic Plan Pillar 3: Academic Achievement & Enrichment*  
*Contact: Ron Lebs, Deputy Superintendent, Business and Support Services*

44. **INDEPENDENT CONTRACTOR AGREEMENT – SUPPLEMENTAL EDUCATIONAL SERVICES, SMART KIDS TUTORING & LEARNING CENTER, INCORPORATED:** Page 527  
**EXHIBIT 44**  
Approval of an independent contractor agreement with Smart Kids Tutoring & Learning Center, Incorporated to provide No Child Left Behind Supplemental Educational Services. Smart Kids Tutoring & Learning Center will provide tutoring services at the rates indicated on the fee schedule for the 2011-2012 school year. Scheduled services under this contract are estimated to be \$9,637.40, funded by Title I.  
*CUSD Strategic Plan Pillar 3: Academic Achievement & Enrichment*  
*Contact: Ron Lebs: Deputy Superintendent, Business and Support Services*
45. **INDEPENDENT CONTRACTOR AGREEMENT – SUPPLEMENTAL EDUCATIONAL SERVICES, PROFESSIONAL TUTORS OF AMERICA, INCORPORATED:** Page 537  
**EXHIBIT 45**  
Approval of an independent contractor agreement with Professional Tutors of America, Incorporated to provide No Child Left Behind Supplemental Educational Services. Professional Tutors of America will provide tutoring services at the rates indicated on the fee schedule for the 2011-2012 school year. Scheduled services under this contract are estimated to be \$67,462, funded by Title I.  
*CUSD Strategic Plan Pillar 3: Academic Achievement & Enrichment*  
*Contact: Ron Lebs, Deputy Superintendent, Business and Support Services*
46. **INDEPENDENT CONTRACTOR AGREEMENT – SUPPLEMENTAL EDUCATIONAL SERVICES, OXFORD TUTORING, INCORPORATED:** Page 549  
**EXHIBIT 46**  
Approval of an independent contractor agreement with Oxford Tutoring, Incorporated to provide No Child Left Behind Supplemental Educational Services. Oxford Tutoring will provide tutoring services at the rates indicated on the fee schedule for the 2011-2012 school year. Scheduled services under this contract are estimated to be \$9,637.40, funded by Title I.  
*CUSD Strategic Plan Pillar 3: Academic Achievement & Enrichment*  
*Contact: Ron Lebs: Deputy Superintendent, Business and Support Services*
47. **INDEPENDENT CONTRACTOR AGREEMENT – MIND MUSIC PROGRAM, MARY BESTGEN:** Page 559  
**EXHIBIT 47**  
Approval of an independent contractor agreement with Mary Bestgen to support classroom instruction with the Mind Music Program. Ms. Bestgen will provide services at the rates indicated on the fee schedule for the 2011-2012 school year. Scheduled services under this contract are estimated to be \$6,828, funded by Oak Grove Elementary School PTA.  
*CUSD Strategic Plan Pillar 3: Academic Achievement & Enrichment*  
*Contact: Ron Lebs, Deputy Superintendent, Business and Support Services*
48. **INDEPENDENT CONTRACTOR AGREEMENT – SUPPLEMENTAL EDUCATIONAL SERVICES, FRIENDLY COMMUNITY OUTREACH CENTER:** Page 567  
**EXHIBIT 48**  
Approval of an independent contractor agreement with Friendly Community Outreach Center to provide No Child Left Behind Supplemental Educational Services. Friendly Community Outreach Center will provide tutoring services at the rates indicated on the fee schedule for the 2011-2012 school year. Scheduled services under this contract are estimated to be \$9,637.40, funded by Title I.  
*CUSD Strategic Plan Pillar 3: Academic Achievement & Enrichment*  
*Contact: Ron Lebs, Deputy Superintendent, Business and Support Services*

**49. EXTENSION OF AGREEMENT FOR RFQ NO. 5-1011, SPECIAL INSPECTIONS & MATERIALS TESTING SERVICES – TWINING, INCORPORATED:** Page 577  
**EXHIBIT 49**

Approval of the extension of the agreement for special inspections and materials testing services to be provided by Twining, Incorporated. The firm was sent a letter requesting reduced pricing for the 2012 renewal year. This contract is governed by the prevailing wage laws. A ten-percent reduction in fees would be below the current prevailing wage required for field personnel. The firm has offered a wage freeze for 2012. This contract provides competitive rates for special inspections and materials testing services as required by the District. Annual expenditures utilizing this contract are estimated at \$100,000 and will be dependent on the actual services provided. Expenditures under this contract will be funded from the appropriate project funds.

*CUSD Strategic Plan Pillar 5: Effective Operations*

*Contact: Ron Lebs, Deputy Superintendent, Business and Support Services*

**50. EXTENSION OF AGREEMENT FOR RFQ NO. 10-0809, GENERAL LEGAL SERVICES – HARBOTTLE LAW GROUP:** Page 591  
**EXHIBIT 50**

Approval of the extension of the agreement for legal service to be provided by Harbottle Law Group. The firm was sent a letter requesting reduced pricing for the 2012 renewal year. The firm will hold to the current pricing with a note that these rates are approximately 18 percent lower than the previous contract which expired May 2009, and ten-percent lower than comparable firms practicing in the area of special education law in Orange County. This contract provides competitive rates for legal services as required by the District. Annual expenditures utilizing this contract are estimated at \$175,000 and will be dependent on the actual services provided. Expenditures under this contract will be funded from the appropriate accounts, for the various departments requiring legal services.

*CUSD Strategic Plan Pillar 5: Effective Operations*

*Contact: Ron Lebs, Deputy Superintendent, Business and Support Services*

**51. EXTENSION OF AGREEMENT FOR LEGAL SERVICES - GEORGE COOPER RUDOLPH ATTORNEY & COUNSELOR AT LAW:** Page 607  
**EXHIBIT 51**

Approval of the extension of the agreement for legal services to be provided by George Cooper Rudolph Attorney & Counselor at Law. The firm was sent a letter requesting reduced pricing for the 2012 renewal year. The firm is offering a ten-percent reduction in fees as requested by the District. This contract provides competitive rates for legal services as required by the District. Annual expenditures utilizing this contract are estimated at \$35,000 and will be dependent on the actual services provided. Expenditures under this contract will be funded from the appropriate accounts, for the various departments requiring legal services.

*CUSD Strategic Plan Pillar 5: Effective Operations*

*Contact: Ron Lebs, Deputy Superintendent, Business and Support Services*

**52. EXTENSION OF AGREEMENT FOR RFQ NO. 10-0809, GENERAL LEGAL SERVICES – DANNIS WOLIVER KELLEY:** Page 629  
**EXHIBIT 52**

Approval of the extension of the agreement for legal services to be provided by Dannis Woliver Kelley. The firm was sent a letter requesting reduced pricing for the 2012 renewal year. The firm has outlined the pricing structure in the fee proposal. The proposal includes keeping a two-percent discount in place, lowering hourly rates, and a reduction in hourly travel costs.

This contract provides competitive rates for legal services as required by the District. Annual expenditures utilizing this contract are estimated at \$240,000 and will be dependent on the actual services provided. Expenditures under this contract will be funded from the appropriate accounts, for the various departments requiring legal services.

*CUSD Strategic Plan Pillar 5: Effective Operations*

*Contact: Ron Lebs, Deputy Superintendent, Business and Support Services*

53. **EXTENSION OF AGREEMENT FOR RFQ NO. 10-0809, GENERAL LEGAL SERVICES – BERGMAN & DACEY, INCORPORATED:** Page 647  
**EXHIBIT 53**  
Approval of the extension of the agreement for legal service to be provided by Bergman & Dacey, Incorporated. The firm was sent a letter requesting reduced pricing for the 2012 renewal year. The firm is offering a ten-percent reduction in fees as requested by the District. This contract provides competitive rates for legal services as required by the District. Annual expenditures utilizing this contract are estimated at \$100,000 and will be dependent on the actual services provided. Expenditures under this contract will be funded from the appropriate accounts, for the various departments requiring legal services.  
*CUSD Strategic Plan Pillar 5: Effective Operations*  
*Contact: Ron Lebs, Deputy Superintendent, Business and Support Services*
54. **EXTENSION OF AGREEMENT FOR RFQ NO. 5-1011, SPECIAL INSPECTIONS & MATERIALS TESTING SERVICES – MTGL, INCORPORATED:** Page 661  
**EXHIBIT 54**  
Approval of the extension of the agreement for special inspections and materials testing services to be provided by MTGL, Incorporated. The firm was sent a letter requesting reduced pricing for the 2012 renewal year. This contract is governed by the prevailing wage laws. A ten-percent reduction in fees would be below the current prevailing wage required for field personnel. The firm has offered a five-percent reduction in fees and deleted minimum charges for services. This contract provides competitive rates for special inspections and materials testing services as required by the District. Annual expenditures utilizing this contract are estimated at \$100,000 and will be dependent on the actual services provided. Expenditures under this contract will be funded from the appropriate project funds.  
*CUSD Strategic Plan Pillar 5: Effective Operations*  
*Contact: Ron Lebs, Deputy Superintendent, Business and Support Services*
55. **EXTENSION OF AGREEMENT FOR RFQ NO. 4-1011, DSA APPROVED INSPECTOR OF RECORD SERVICES – KNOWLAND CONSTRUCTION SERVICES:** Page 683  
**EXHIBIT 55**  
Approval of the extension of the agreement for DSA approved inspector of record services to be provided by Knowland Construction Services. The firm was sent a letter requesting reduced pricing for the 2012 renewal year. The firm has offered to hold their current pricing structure, sighting the fact that original fees were 10 to 15 percent lower than the proposals received from the other firms during the RFQ process. Knowland Construction Services proposed very aggressive rates in their original proposal. This contract provides competitive rates for DSA inspector of record services as required by the District. Annual expenditures utilizing this contract are estimated at \$600,000 and will be dependent on the actual services provided. Expenditures under this contract will be funded from the appropriate project funds.  
*CUSD Strategic Plan Pillar 5: Effective Operations*  
*Contact: Ron Lebs, Deputy Superintendent, Business and Support Services*



56. **EXTENSION OF AGREEMENT FOR RFQ NO. 5-1011, SPECIAL INSPECTIONS & MATERIALS TESTING SERVICES – NINYO & MOORE:** Page 695  
**EXHIBIT 56**  
Approval of the extension of the agreement for special inspections and materials testing services to be provided by Ninyo & Moore. The firm was sent a letter requesting reduced pricing for the 2012 renewal year. This contract is governed by the prevailing wage laws. A ten-percent reduction in fees would be below the current prevailing wage required for field personnel. The firm has offered a ten-percent reduction in fees for all other staff types and laboratory testing. This contract provides competitive rates for special inspections and materials testing services as required by the District. Annual expenditures utilizing this contract are estimated at \$250,000 and will be dependent on the actual services provided. Expenditures under this contract will be funded from the appropriate project funds.  
*CUSD Strategic Plan Pillar 5: Effective Operations*  
*Contact: Ron Lebs, Deputy Superintendent, Business and Support Services*

57. **AMENDMENT TO AGREEMENT FOR RFQ NO. 1-0809, THIRD-PARTY ADMINISTRATION SERVICES FOR CAPISTRANO UNIFIED SCHOOL DISTRICT’S 403(b) PLAN – SCHOOLSFIRST FEDERAL CREDIT UNION:** Page 711  
**EXHIBIT 57**  
Approval of the amendment to the agreement for third party-administration services to be provided by SchoolsFirst Federal Credit Union. The original contract term ends on December 31, 2011. The amendment will extend the contract term to December 31, 2013. This contract provides third-party administration services, free of charge, for the District’s 403(b) and 457(b) plans.  
*CUSD Strategic Plan Pillar 5: Effective Operations*  
*Contact: Ron Lebs, Deputy Superintendent, Business and Support Services*

58. **CLIENT AGREEMENT – APEX LEARNING DIGITAL CURRICULUM SOLUTIONS, APEX LEARNING:** Page 731  
**EXHIBIT 58**  
Approval of a client agreement with Apex Learning to provide digital curriculum solutions for the California Preparatory Academy. The contract includes ClassTools virtual courses, books, and professional development services. Apex Learning will provide services at the rates indicated in the agreement through June 30, 2015. Expenditures under this contract are estimated to be \$138,407, funded by the general fund.  
*CUSD Strategic Plan Pillar 3: Academic Achievement & Enrichment*  
*Contact: Ron Lebs, Deputy Superintendent, Business and Support Services*

59. **ADVERTISE BID NO. 1112-12 – COMPRESSED NATURAL GAS FUELING FACILITY:**  
Approval to advertise for bids to build the Compressed Natural Gas (CNG) fueling facility located at the Aliso Viejo Transportation Center. All necessary permits and approvals have been received allowing the project to move forward. The project bid date has been established for January 12, 2012, and an award of bid will be brought back to the Board of Trustees for approval on January 25, 2012. The total estimated cost to design and construct the CNG fueling facility is approximately \$882,450, funded from a combination of grant funds, community facility districts, and developer fees. Costs associated with preparing the construction documents will be \$63,500, funded from developer fees.

Due to the physical size of the plans and project manual, the documentation will be available for review in the Purchasing Department. If you wish to review the documents, please contact Terry Fluent, Director of Purchasing, at (949) 234-9436.

*CUSD Strategic Plan Pillar 5: Effective Operations*  
*Contact: Ron Lebs, Deputy Superintendent, business and Support Services*

**PERSONNEL SERVICES**

**60. RESIGNATIONS/RETIREMENTS/EMPLOYMENT–CLASSIFIED EMPLOYEES:**

Page 743  
**EXHIBIT 60**

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*

**61. RESIGNATIONS/RETIREMENTS/EMPLOYMENT – CERTIFICATED EMPLOYEES:**

Page 757  
**EXHIBIT 61**

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*

**62. AGREEMENT FOR ADMINISTRATION OF SECTION 125-FLEXIBLE SPENDING ACCOUNT SERVICES, AMERICAN FIDELITY ASSURANCE COMPANY:**

Page 765  
**EXHIBIT 62**

Approval of an Agreement with American Fidelity Assurance Company to provide services as the administrator of the District’s Section 125-Flexible Spending Account (FSA) Cafeteria Plan. Since 1991 the District has offered its employees the option of voluntarily enrolling in a FSA plan. The benefit of these plans is to lower the participant’s tax rate. This company was selected by the District’s Health Benefits Committee because it offered this program at no cost to the employee. The former company charged \$67.50 annually. In exchange for a no-cost program, the agreement allows American Fidelity to offer additional insurance products that may be of interest to the subscriber. There is no financial impact. This program is entirely supported by voluntary employee participation.

*CUSD Strategic Plan Pillar 5: Effective Operations*

*Contact: Jodee Brentlinger, Assistant Superintendent, Personnel Services*

Motion by _____	Seconded by _____
ROLL CALL:	
Student Advisor Ryan Pallas _____	
Trustee Addonizio _____	Trustee Bryson _____
Trustee Alpay _____	Trustee Hatton _____
Trustee Brick _____	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, JANUARY 9, 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](http://www.capousd.org)

CAPISTRANO UNIFIED SCHOOL DISTRICT  
BOARD OF TRUSTEES

33122 Valle Road  
San Juan Capistrano, CA 92675

**ADDENDUM**  
**to**  
**December 12, 2011 Board Agenda**

**DISCUSSION/ACTION - ADDITION**

**14A PROPOSED 2012-2013 AND 2013-2014 SCHOOL CALENDARS:**

This item will provide Trustees with an opportunity to discuss District calendars for the next two school years and to direct staff on their implementation and/or revision. The calendars were recommended by the District's Calendar Task Force.

***CUSD Strategic Plan Pillar 3: Academic Achievement & Enrichment***

***Contact: Julie Hatchel, Assistant Superintendent, Education Services***

Staff Recommendation

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

Following discussion, it is recommended the Board of Trustees provide direction to staff on the proposed 2012-2013 and 2013-2014 calendars.

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

DISCUSSION/  
ACTION  
Page  
**EXHIBIT 14A**

**CONSENT CALENDAR - ADDITION**

**20A SINGLE SCHOOL PLANS FOR STUDENT ACHIEVEMENT AND BUDGETS FOR 2011-2012:**

Approval of the 2011-2012 Single School Plans and Budgets for elementary, middle, and high schools. Annually, schools that participate in state and federal categorical programs, funded through the consolidated application process, are required to submit a Single School Plan for Student Achievement. Plans are written to cover a two-year period, but are updated annually. The purpose of the plan is to create a cycle of continuous improvement of student performance, and to ensure that all students succeed in reaching academic standards set by the State Board of Education. Each plan is developed and initially approved through a process conducted by the school site advisory committee that includes stakeholder input. Plans address critical areas in student achievement and schoolwide climate with emphasis of increased student performance of under achieving students. Single School Plans for Student Achievement are available for Trustee review in Education Services.

***CUSD Strategic Plan Pillar 3: Academic Achievement and Enrichment***

***Contact: Julie Hatchel, Assistant Superintendent, Education Services***

## 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.*