

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

BOARD OF TRUSTEES
Regular Meeting

July 27, 2011

Closed Session 6:00 p.m.
Open Session 7:00 p.m.

AGENDA

CLOSED SESSION AT 6:00 P.M.

- 1. CALL TO ORDER**
- 2. CLOSED SESSION COMMENTS**
- 3. CLOSED SESSION** (as authorized by law)

A. PUBLIC EMPLOYEE APPOINTMENT/EMPLOYMENT EXHIBIT 3 A1-A2

- 1) Director IV, Early Childhood Programs
- 2) Supervisor IV, Early Childhood Programs (2 positions)
(Pursuant to Government Code §54957)

B. CONFERENCE WITH REAL PROPERTY NEGOTIATORS

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

C. CONFERENCE WITH LABOR NEGOTIATORS

Dr. Joseph M. Farley/Ron Lebs/Julie Hatchel
Employee Organization:
1) Capistrano Unified Education Association (CUEA)
2) Capistrano School Employees Association (CSEA)
3) Unrepresented Employees (CUMA)
4) Teamsters
(Pursuant to Government Code §54957.6)

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.

1. PLEDGE OF ALLEGIANCE
2. ADOPTION OF THE AGENDA – ROLL CALL
3. REPORT ON CLOSED SESSION ACTION
4. BOARD AND SUPERINTENDENT COMMENTS
5. 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.

DISCUSSION/ACTION ITEMS

6. **HANDWRITING WITHOUT TEARS:**

In 2006, the Board adopted *Handwriting Without Tears* as Capistrano Unified School District’s pre-school through grade 5 handwriting program. Teachers were trained to use *Handwriting Without Tears* methodologies to teach letter formation. In 2009, budget cuts made it necessary to eliminate District funding of approximately \$160,000 for the *Handwriting Without Tears* student materials. This left teachers without handwriting student workbooks or practice worksheets. Since that time, some sites and the Special Education Department have purchased student materials with categorical, site, or PTA funds. Because those sites used categorical funds, there has been no financial impact to the general fund.

Contact: Julie Hatchel, Assistant Superintendent, Education Services

DISCUSSION/
ACTION
Vote _____

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 purchase of *Handwriting Without Tears* supporting materials with categorical, site, or PTA funds.

Motion by _____ Seconded by _____

7. **MINIMUM DAY DISMISSAL TIMES AT TITLE I ELEMENTARY SCHOOLS:**

The proposal to establish a single minimum day dismissal time for Title I elementary schools was reviewed and supported by the District Restructuring Council. Instructional minutes on the parent conference days, Back-to-School Night, and Open House will be extended so that the dismissal time coincides with contractual planning time for staff. In order to provide an equal number of instructional minutes for Title I students, two additional minimum days are included in the schedule to offset the added instructional minutes. This agenda item presents for Board consideration approval of a single minimum day dismissal time schedule at Title I elementary schools.

Contact: Julie Hatchel, Assistant Superintendent, Education Services

DISCUSSION/
ACTION
Vote _____
Page 1
EXHIBIT 1

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 minimum day dismissal time schedule at Title I elementary schools.

Motion by _____ Seconded by _____

8. BOARD AGENDA FORMAT REVIEW:

Trustees asked a subcommittee of the Board to develop changes in the format of the Board agenda for the entire Board's consideration. The subcommittee included John Alpay, Anna Bryson, and Ellen Addonizio, assisted by Dr. Farley and Jane Boos. The subcommittee developed agenda modifications, shared the suggestions with the entire Board, and included changes into the Board agenda of April 27, 2011. The changes included:

DISCUSSION/
ACTION
Vote _____
Page 2a
EXHIBIT 1.1

1. Moving the closed session agenda items to the beginning of the agenda and clearly delineating the different start times for the closed and open sessions of the meeting.
2. Moving the consent agenda to the end of the agenda, which meant the most significant items of action and discussion are scheduled for the beginning of the meeting.
3. Including a more detailed summary of each agenda item in the agenda to reduce the need for separate exhibits.
4. Placing the discussion/action items together in one section to permit appropriate sequencing of the items by importance.
5. Providing more information on agenda items to assist the public in following the work of the Board.

Two Trustees have recently expressed concerns about the new format and asked that this matter be placed on a Board agenda so Trustees may consider further agenda revisions and/or returning to the previous agenda format.

Contact: Joseph M. Farley, Superintendent

Staff Recommendation:

It is recommended the Board President recognize Trustee Addonizio to present this item.

Following discussion, it is recommended the Board of Trustees directs staff as they determine.

Motion by _____ Seconded by _____

9. SECOND READING - REVISIONS TO BOARD POLICY 1312.4, WILLIAMS UNIFORM COMPLAINT PROCEDURES:

As laws change, revisions to existing Board policy and administrative regulations are necessary. In addition, staff has been reviewing policies and regulations in an effort to eliminate "optional" provisions that may have created additional and unnecessary financial burdens on the District. This agenda item presents for consideration revisions to Board Policy 1312.4, *Williams Uniform Complaint Procedures*. There is no financial impact. Proposed additions to the Board policy are underlined; deletions are struck through.

DISCUSSION/
ACTION
Vote _____
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EXHIBIT 2

Contact: Jodee Brentlinger, Assistant Superintendent, Personnel Services

Staff Recommendation:

It is recommended the Board President recognize Executive Director Jeff Bristow to present this item for second reading.

Following discussion, it is recommended the Board of Trustees approve the revisions to Board Policy 1312.4, *Williams Uniform Complaint Procedures*.

Motion by _____ Seconded by _____

10. SECOND READING - REVISIONS TO BOARD POLICY 4031, COMPLAINTS CONCERNING DISCRIMINATION IN EMPLOYMENT:

As employment laws change, revisions to existing Board policy and administrative regulations are necessary. In addition, staff has been reviewing policies and regulations in an effort to eliminate "optional" provisions that may have created additional and unnecessary financial burdens on the District. This agenda item presents for consideration revisions to Board Policy 4031, *Complaints Concerning Discrimination in Employment*. Proposed additions to the Board Policy are underlined; deletions are struck through.

DISCUSSION/
ACTION
Vote _____
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EXHIBIT 3

Contact: Jodee Brentlinger, Assistant Superintendent, Personnel Services

Staff Recommendation:

It is recommended the Board President recognize Executive Director Jeff Bristow to present this item for second reading.

Following discussion, it is recommended the Board of Trustees approve the revisions to Board Policy 4031, *Complaints Concerning Discrimination in Employment*.

Motion by _____ Seconded by _____

11. SECOND READING - REVISIONS TO BOARD POLICY 4161.8, 4261.8, 4361.8, FAMILY CARE AND MEDICAL LEAVE:

As employment laws change, revisions to existing Board policy and administrative regulations are necessary. In addition, staff has been reviewing policies and regulations in an effort to eliminate "optional" provisions that may have created additional and unnecessary financial burdens on the District. This agenda item presents for consideration revisions to Board Policy 4161.8, 4261.8, 4361.8, *Family Care and Medical Leave*. There is no financial impact. Proposed additions to the Board policy are underlined; deletions are struck through.

Contact: Jodee Brentlinger, Assistant Superintendent, Personnel Services

Staff Recommendation:

It is recommended the Board President recognize Executive Director Jeff Bristow to present this item for second reading.

Following discussion, it is recommended the Board of Trustees approve the revisions to Board Policy 4161.8, 4261.8, 4361.8, *Family Care and Medical Leave*.

Motion by _____ Seconded by _____

DISCUSSION/
ACTION

Vote _____

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EXHIBIT 4

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

12. SCHOOL BOARD MINUTES:

Minutes of the June 29, 2011, regular Board meeting, minutes from the July 11, 2011, regular Board meeting, and minutes from the July 13, 2011, special Board meeting.

Contact: Jane Boos, Manager, Board Office Operations

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EXHIBIT 5

CURRICULUM & INSTRUCTION

13. CALIFORNIA DEPARTMENT OF EDUCATION CHILD DEVELOPMENT DIVISION AGENCY REPORT FOR CAL-SAFE:

Approval of the Cal-SAFE Agency Annual Report. The California Department of Education requires that all LEA's participating in Cal-SAFE programs prepare an annual report for Board approval. The Agency Annual Report ensures that program terms and conditions are met including the environment, programming, and staffing qualifications.

Contact: Julie Hatchel, Assistant Superintendent, Education Services

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EXHIBIT 6

14. **CALIFORNIA DEPARTMENT OF EDUCATION CHILD DEVELOPMENT DIVISION AGENCY REPORT:** Page 43
EXHIBIT 7
Approval of the State Preschool Agency Annual Report. The California Department of Education requires that all LEA's participating in State preschool programs prepare an annual report for Board approval. The Agency Annual Report ensures that program terms and conditions are met including the environment, programming, and staffing qualifications.
Contact: Julie Hatchel, Assistant Superintendent, Education Services
15. **MEMORANDUM OF UNDERSTANDING TO PROVIDE SCHOOL DISTRICT CONTACT INFORMATION FOR NO CHILD LEFT BEHIND PRIVATE SCHOOL OUTREACH:** Page 61
EXHIBIT 8
Approval of the Memorandum of Understanding (MOU) and submission of the contact information. The purpose of this MOU is to establish and maintain an effective working relationship between Orange County school districts and the Orange County Department of Education in order to strengthen their communications with private nonprofit schools within their respective jurisdictions, who may be interested in receiving services for eligible private school students pursuant to Title 1, Part A of the No Child Left Behind Act. This MOU requests the name and contact information of the staff member in charge of communication with private nonprofit schools who may be interested in receiving services for eligible private school students pursuant to Title 1, Part A. The name and contact information will be shared with Orange County school districts and private nonprofit schools.
Contact: Julie Hatchel, Assistant Superintendent, Education Services

BUSINESS & SUPPORT SERVICES

16. **AMENDMENT TO AGREEMENT – ORANGE COUNTY THERAPY SERVICES:** Page 67
EXHIBIT 9
Approval of the amendment to the agreement for occupational therapy services to be provided by Orange County Therapy Services. The amendment adds physical therapy services to the agreement, on an as-needed basis, to be billed at \$80.00 per hour. All other terms and conditions of the contract shall remain the same. The total expenditures under this contract cannot be determined at this time, as it is unknown how many special education students would require the therapy services provided by this vendor. The actual dollar amount and budget code will be determined by purchase order submitted for Board approval.
Contact: Ron Lebs, Deputy Superintendent, Business & Support Services
17. **MASTER CONTRACT – CENTER FOR AUTISM RESOURCES, EVALUATION AND SERVICES, AKA CARES, A NON-PUBLIC AGENCY:** Page 77
EXHIBIT 10
Approval of a master contract for special education services to be provided by Center for Autism Resources, Evaluation and Services, aka CARES, a non-public agency. The cost for behavior intervention-instruction (direct services to students) is \$52 an hour, the cost for behavior intervention development-supervision (individual program development and supervision) is \$113.41 an hour, the cost for behavior intervention development-clinical (assessment and supervision by a clinical psychologist) is \$130 an hour, and the cost for an evaluation/assessment is \$1,200 each on an as-needed basis, which would 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 therapy services provided by this vendor. The actual dollar amount and budget code will be determined by purchase order submitted for Board approval.
Contact: Ron Lebs, Deputy Superintendent, Business & Support Services

18. **INDEPENDENT CONTRACTOR AGREEMENT – STAFF DEVELOPMENT TRAINING, ACTION LEARNING SYSTEMS, INCORPORATED:** Page 111
EXHIBIT 11
Approval of an independent contractor agreement with Action Learning Systems, Incorporated, to provide staff development training using direct interactive instruction to maximize academic learning. Due to the District’s Program Improvement status, the District is required to provide specialized training in EL instruction. Action Learning Systems, Incorporated will provide the services at the rates indicated on the rate sheet for the 2011-2012 school year. Services under this contract are estimated to be \$12,000 funded by Title 1.
Contact: Ron Lebs, Deputy Superintendent, Business & Support Services
19. **INDEPENDENT CONTRACTOR AGREEMENT – COUNSELING ART ASSEMBLIES, STAFF DEVELOPMENT WORKSHOPS, AND STUDIO ART PROGRAMS, ART MASTERS, INCORPORATED:** Page 121
EXHIBIT 12
Approval of an independent contractor agreement with Art Masters, Incorporated, to provide art assemblies, staff development workshops, and studio art programs, as requested by District sites. Art Masters, Incorporated will provide services at the rates indicated on the rate sheet for the 2011-2012 school year. Services under this contract are estimated to be \$45,000 annually, funded by PTA, site, or gift funds. Separate purchase orders will be approved by the Board for services.
Contact: Ron Lebs, Deputy Superintendent, Business & Support Services
20. **INDEPENDENT CONTRACTOR AGREEMENT – PROFESSIONAL DEVELOPMENT TRAINING, CENTER FOR APPLIED LINGUISTICS:** Page 131
EXHIBIT 13
Approval of an independent contractor agreement with the Center for Applied Linguistics to provide professional development training for District staff related to Sheltered Instruction Observation Protocol (SIOP). Workshop dates and services to be provided are outlined in the fee schedule. Scheduled services under this contract are estimated to be \$33,300, paid out of Economic Impact Aid funds. This training is part of the District’s ADD program, meeting the staff development requirement of the District’s Program Improvement status.
Contact: Ron Lebs, Deputy Superintendent, Business & Support Services
21. **EXTENSION OF SCHOOL BUS SERVICE AGREEMENT NO. 10910045, SANTA MARGARITA CATHOLIC HIGH SCHOOL:** Page 145
EXHIBIT 14
Approval of the second and final extension of the school bus service agreement with Santa Margarita Catholic High School where the District provides vehicle maintenance, driver training services, and parking for three school buses. The District has agreed to a reduction in the hourly labor rate for vehicle maintenance from \$105 per hour to \$90 per hour. This agreement provides a positive revenue stream into the District’s general fund to offset a portion of the Transportation Department’s encroachment.
Contact: Ron Lebs, Deputy Superintendent, Business & Support Services
22. **AWARD BID NO. 1112-04 - OUTSOURCE TRANSPORTATION SERVICE, AMERICAN LOGISTICS COMPANY:** Page 155
EXHIBIT 15
Approval of award of bid services to American Logistics Company. The initial base contract is July 28, 2011, through June 30, 2012. The contract may be extended by mutual agreement and upon Board approval, for a renewal term not to exceed two additional one-year periods. This contract provides competitive, set pricing for the transportation of special education students as determined by a student’s Individual Education Plan and when the District’s Transportation Department does not have a bus available to transport that specific student. Annual expenditures utilizing this contract are estimated to be \$150,000. This will be funded as part of the Transportation Department’s budget.
Contact: Ron Lebs, Deputy Superintendent, Business & Support Services

Motion by _____ Seconded by _____

ROLL CALL:

Trustee Addonizio _____	Trustee Hatton _____
Trustee Alpay _____	Trustee Palazzo _____
Trustee Bryson _____	Trustee Pritchard _____
	Trustee Brick _____

NOTE: BY USING A ROLL CALL VOTE FOR THE CONSENT CALENDAR, IT WILL MEET THE NEED FOR ACTION ITEMS WHICH REQUIRE A SIMPLE MOTION OR ROLL CALL VOTE.

ADJOURNMENT

Motion by _____ Seconded by _____

THE NEXT REGULAR MEETING OF THE BOARD OF TRUSTEES IS MONDAY, AUGUST 8, 2011, 7:00 P.M. AT THE CAPISTRANO UNIFIED SCHOOL DISTRICT OFFICE BOARD ROOM, 33122 VALLE ROAD, SAN JUAN CAPISTRANO, CALIFORNIA

For information regarding Capistrano Unified School District, please visit our website:
www.capousd.org

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.