

CAPISTRANO UNIFIED SCHOOL DISTRICT  
BOARD OF TRUSTEES  
MINUTES – REGULAR MEETING  
SEPTEMBER 26, 2011  
EDUCATION CENTER – BOARD ROOM

President Brick called the meeting to order at 6:00 p.m. The Board recessed to closed session to confer with Legal Counsel regarding Existing Litigation (one case) and discuss CSEA/CUEA/CUMA/Teamsters negotiations.

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, Pritchard, and Student Advisor Ryan Pallas

Absent: Trustee Palazzo

**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](http://www.capousd.org)** **Permanent Record**

It was moved by Trustee Bryson, seconded by Trustee Alpay, and motion carried by a 6-0 vote to adopt the Board agenda. **Adoption of the Board Agenda**

AYES: Trustees Addonizio, Alpay, Brick, Bryson, Hatton, Pritchard, and Student Advisor Ryan Pallas

NOES: None

ABSENT: Trustee Palazzo

President Brick asked Vice President Pritchard to facilitate the meeting.

**President's Announcement**

Trustee Pritchard reported the following action taken during closed session:

**Agenda Item #3A – Conference with Legal Counsel-Existing Litigation:**

**President's Report From Closed Session Meeting**

Case No. SACV 11-01024MLG

The Board voted by a 6-0 vote to approve the settlement agreement in the amount of \$130,000, including the establishment of an educational trust, and resolution of all educational matters through May 31, 2016, or the latest date when the student is entitled to services under applicable laws.

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

NOES: None

ABSENT: Trustee Palazzo

ABSTAIN: None

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

San Clemente High School student Savannah Zoller was recognized for saving a man from drowning in a community pool.

**Special  
Recognitions**

Dr. Farley introduced newly appointed principals Steven Scholl, Palisades Elementary School, and Josh Wellikson, Don Juan Avila Middle School.

**Board and  
Superintendent  
Comments**

Trustee Bryson reported she had attended the Monarch Beach Sunrise Rotary Club meeting with Marcus Walton and Jason Allemann and had the honor of introducing Dr. Farley as the speaker. Trustee Bryson commended Dana Hills High School students Aliza Braunstein and Jed Bradshaw for being recognized by the Rotary for their work in the community.

Trustee Hatton shared she had attended Newhart Middle School's Back-to-School Night, as a parent, and was reminded of the great teachers there are in the District.

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

**Oral  
Communications**

The following speakers addressed the Board:

- *Pam Palka, David Elecciri, Matt Gaffney, Mark Klein, and David Laszewski spoke in support of San Clemente High School coach Eric Patton and asked Trustees not to rush to judgment until a thorough investigation was completed.*
- *Vicki Soderberg spoke in regards to the coaching situation and stated Trustees need to broaden the scope of the investigation to include the chain of command, current practices, and ways to improve the system to prevent this from happening again.*

## **DISCUSSION/ACTION**

Assistant Superintendent Julie Hatchel explained this item presents an opportunity to partner with organizations under the Department of the Interior and bring live, interactive, virtual education to students. The project centers on bringing science, technology, engineering, and math (STEM) resources from remote locations to students in the District by virtual field trip learning experiences. The program is a one-year pilot that involves nine schools. Teachers will work with scientists and historians at the parks to develop instructional units that promote STEM careers. Students will participate in a minimum of three virtual field trips during the year. Mrs. Hatchel introduced Southern California Research Learning Center Director Susan Teel who provided a PowerPoint and demonstrated two virtual field trips.

**MOU with  
National Park  
Service  
Agenda Item 1**

Trustee Bryson requested staff provide any student involved with the Climate Change Ambassador Program documentation concerning the scientific evidence of climate change.

Following discussion, it was moved by Trustee Addonizio, seconded by Trustee Brick, and motion carried by a 6-0 vote to approve the Memorandum of Understanding with the National Park Service.

AYES: Trustees Addonizio, Alpay, Brick, Bryson, Hatton, Pritchard,  
and Student Advisor Ryan Pallas

NOES: None

ABSENT: Trustee Palazzo

ABSTAIN: None

To allow the NPS representatives time to disconnect their equipment, Trustee Prichard announced the Board would take a five-minute break. It was moved by Trustee Alpay, seconded by Trustee Addonizio, and motion carried by a 6-0 vote to take a five-minute break. Trustee Pritchard reconvened the meeting at 8:09 p.m.

**Break**

Assistant Superintendent Julie Hatchel stated staff was asked by Trustees to bring forward information regarding the implementation of a Mandarin Chinese Immersion Program (MIP) in the District. Acquisition of fluency in Mandarin Chinese would allow enrolled students the ability to become fully bilingual and biliterate in English and Mandarin Chinese. MIP would not cause or create any changes in current attendance boundaries since the program is an alternative choice parent program for students, similar to the District's Two-Way Immersion Program in Spanish. Immediate start-up costs for the program would be approximately \$10,000 - \$30,000, depending upon how many grade levels and classes are offered, to cover curriculum, supplies, staff development training, and recruitment of teachers. Mrs. Hatchel stated staffing will be the District's biggest challenge in building and sustaining the program. MIP personnel will require a multiple subject teaching credential and BCLAD Mandarin Chinese credential. Mrs. Hatchel added there is evidence of a strong organized parental support for MIP both within and outside the District and currently there are 60 kindergarten students committed to enroll in September.

The following speakers addressed the Board:

- *Leland Jay, Thalia Tong, and Marlon Woolforde spoke in support of the creation of a Mandarin Chinese Immersion Program in the District.*
- *Vicki Soderberg shared three concerns regarding the approval of the Mandarin Chinese Program: 1) the estimated \$10,000 recruitment allocated for hiring new elementary teachers when there are still more than 100 elementary teachers on the rehire list; 2) the unknown costs related to this program while employees are taking pay cuts; and 3) the amount of new projects the District has recently approved.*

Trustee Addonizio requested staff develop information that addresses a break-even point for the costs associated with the development of the Mandarin Chinese Program, including what takes place when there is an enrollment decline in the program, or attrition. Also analyze additional options, such as a Community Education Program.

Following discussion, it was moved by Trustee Alpay, seconded by Trustee Bryson, and motion carried by a 6-0 vote to approve the development of a Mandarin Chinese Immersion Program based on the following ten points:

1. Approve the creation of a Mandarin Chinese Immersion Program within CUSD that will start in the 2012-2013 school year;
2. Creation of this program will start with a kindergarten program and, if deemed feasible and economical by staff, as determined in their discretion, include the first grade in the initial launch;
3. Program to operate on an 80/20 model and teach both traditional and simplified characters;
4. Program to operate as a school within a school as a magnet program giving all CUSD students equal access;
5. Program to be situated at an elementary school near the 5 freeway and 73 toll road, specifically Marian Bergeson Elementary School;
6. Approve the creation of a Mandarin Community Education Program to launch in tandem with the Mandarin Chinese Immersion Program for the purpose of additional revenue, launching the program at the earliest possible convenience as determined by staff;
7. Staff is instructed to begin the process of finding and facilitating the creation of a companion Mandarin Chinese Immersion preschool program;
8. Staff is directed to begin marketing the program within and outside the District's boundaries, as deemed appropriate, including the creation of a listserv for the Mandarin Chinese Immersion Program on the CUSD website and a dedicated page giving information to all interested parents;

9. Staff is instructed to work with the Mandarin Chinese Immersion parent groups as they create a 501(c)3 to make sure they adhere to all District policies on fundraising and maintenance of funds; and
10. Staff is instructed to, at all times prior to the launch of the program, keep the Board of Trustees informed of the progress of the nonprofit organization's fundraising to ascertain whether the program will indeed be cost neutral and, if it appears that the fundraising may fall short, to immediately bring it to the attention of the Board and agendaize for further discussion.

Prior to the vote, Trustee Addonizio asked Trustee Alpay to clarify point seven regarding the preschool program and staff oversight of point nine regarding a 501(c)3. Trustee Alpay stated the staff's report mentions the possibility of partnering with a third party on a preschool program and in regards to 501(c)3 monitoring, staff would ensure the group is complying with District rules related to maintenance of funds and fees.

Due to the specificity of the motion, Dr. Farley requested some flexibility for staff to come to the Board at a point when one or two points may need to be adjusted to keep the costs down once actual cost data is collected. Trustee Alpay agreed that as the program develops, if there is something that needs to change, staff recommendations should be brought to the attention of the Board.

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

Assistant Superintendent Julie Hatchel stated staff is in agreement with the Instructional Materials Review Committee's recommendation to approve *Nothing Rhymes with Orange* for supplemental use to support the third grade social science curriculum.

**Supplemental  
Textbook  
Agenda Item 3**

It was moved by Trustee Alpay, seconded by Trustee Bryson, and motion carried by a 6-0 vote to approve the adoption of *Nothing Rhymes with Orange* for supplemental use to support the third grade social science curriculum.

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

Student Advisor Ryan Pallas left the dais at 9:05 p.m. for the remainder of the meeting.

Deputy Superintendent Ron Lebs stated to assist the Board in reapportioning Trustee areas due to the passage of Measure H from the current method of election to a "by trustee area" method of election, staff is recommending the award of the contract to National Demographics Corporation (NDC). NDC has extensive experience in providing redistricting services to state and local governments, special districts, and school districts. NDC is knowledgeable of the federal and state issues regarding the Voting Rights Act and has provided redistricting services to over 130 school districts.

**RFQ for  
Demographic  
Consulting Service  
Agenda Item 4**

It was moved by Trustee Addonizio, seconded by Trustee Alpay, and motion carried by a 6-0 vote to approve the award of RFQ for Trustee Area Redistricting Analysis and Adjustment Services to National Demographics Corporation.

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

It was moved by Trustee Addonizio, seconded by Trustee Bryson, and motion carried 6-0 vote to approve the tentative agreement with the Teamsters.

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

**Tentative  
Agreement with  
Teamsters  
Agenda Item 5**

Deputy Superintendent Ron Lebs, along with Executive Director David Carter, presented a PowerPoint overview of the 2010-2011 fiscal year closing information, the 2011-2012 revised budget, and potential changes/impact to the 2011-2012 budget and multi-year projection from the proposed mid-year reductions. (The PowerPoint is available for review on the website at [www.capousd.org](http://www.capousd.org).)

**Unaudited Actuals/  
2011-2012 Revised  
Budget  
Agenda Item 6**

Deputy Superintendent Ron Lebs explained the purpose of this agenda item is to provide background on District facility funding, clarity on District CFD policy and procedures, and set a foundation for future mitigation agreements. Due to the quantity of information, this item will be delivered over the course of two meetings and has been divided into part one, CFD background and mechanics, and part two, existing CFDs and prospective CFD policies. Mr. Lebs introduced attorneys Alex Bowie and Andrea Roess who provided Trustees with a PowerPoint presentation covering CFD background and mechanics information. (The PowerPoint is available for review on the website at [www.capousd.org](http://www.capousd.org).)

**CFD Overview  
Agenda Item 7**

Trustee Addonizio suggested, for the part two discussion, staff take an existing problematic CFD to show Trustees the practical application of a CFD and how the process works.

Chief Communications Officer Marcus Walton reported this agenda item presents for consideration revisions to Board Policy 1230, *School-Connected Organizations*. The revisions outline expectations for school-connected organizations as the District adopts policies and procedures to comply with state law regarding student fees.

**Board Policy  
Revision  
Agenda Item 8**

It was moved by Trustee Alpay, seconded by Trustee Bryson, and motion carried 6-0 to approve the revisions to Board Policy 1230, *School-Connected Organizations*.

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

Deputy Superintendent Ron Lebs introduced Executive Director Randy Rowles to present this item. Mr. Rowles stated on February 8, 2011, Trustees authorized staff to commence the bidding of the revised plans and specifications for the remaining home-side bleachers and associated improvements at San Juan Hills High School once property issues were resolved with Whispering Hills, LLC. Ohno Construction Company was the lowest bidder, satisfied all the bid requirements, and had excellent references. The tentative projected schedule for completion of Phase II is August 2011. Phase II completes construction of the home-side stadium bleachers, the press box, and the related electrical, public address systems, and synthetic track surface.

**SJHHS Stadium  
Bid Award  
Agenda Item 9**

It was moved by Trustee Bryson, seconded by Trustee Addonizio, and motion carried by a 6-0 vote to approve the award of Bid No. 1011-15, San Juan Hills High School Stadium Phase II in the amount of \$1,640,000 to Ohno Construction Company.

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

Trustee Pritchard asked Trustees for items they wished to pull from the Consent Calendar. Agenda items 16 and 17 were pulled.

**Items Pulled from the Consent Calendar**

**CONSENT CALENDAR**

It was moved by Trustee Alpay, seconded by Trustee Bryson, and motion carried 6-0 to approve the following Consent Calendar items:

Minutes of the September 12, 2011, regular Board meeting.

**Minutes  
Agenda Item 10**

Memorandum of Understanding with the Orange County Superintendent of Schools to conduct special education programs and services for eligible students July 1, 2011, through June, 30, 2012.

**MOU with the Orange County Superintendent of Schools  
Agenda Item 11**

Donation of funds and equipment.

**Donations  
Agenda Item 12**

Resolution No. 1112-22, Increase in the Workers' Compensation Rate.

**Increase in Workers' Compensation Rate  
Agenda Item 13**

Staff development training, Mary Merchant.

**Independent Contractor Agreement  
Agenda Item 14**

State-mandated hearing and vision screening services, Pacific Audiologics.

**Independent Contractor Agreement  
Agenda Item 15**

Orange County Superintendent of Schools to provide the services of Jane Vogel for vision assessments and consultations for students.

**Income Agreement  
Agenda Item 18**

Amendment to the school bus service agreement with JSerra Catholic High School to provide services for additional buses.

**Amendment to School Bus Service Agreement  
Agenda Item 19**

Name and contact information change on the rental agreement with Capo Beach Calvary.

**Corrected Rental Agreement  
Agenda Item 20**

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

President Brick asked staff who is responsible for the criminal records check and administers the drug free workplace certification. Mr. Lebs responded the contractor certifies in the bid that all the requirements are met.

**Tree Trimming  
Maintenance  
Service  
Agenda Item 16**

It was moved by Trustee Addonizio, seconded by Trustee Bryson, and motion carried by a 6-0 vote to approve the award of Bid No. 1112-10, tree trimming maintenance service, West Coast Arborists, Incorporated.

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

Trustee Hatton requested staff to specifically request a ten percent reduction from vendors on extension agreements rather than a general request for reduced costs which may be less than ten percent.

**Extension  
Agreement  
Agenda Item 17**

It was moved by Trustee Hatton, seconded by Trustee Addonizio, and motion carried by a 6-0 vote to approve construction manager/owner's representative, Edenco, Incorporated.


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

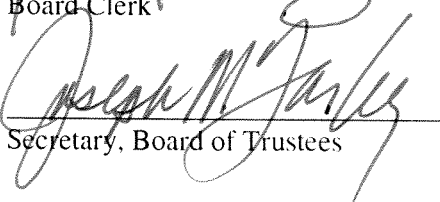
It was moved by Trustee Alpay, seconded by Trustee Bryson, and motion carried 6-0 vote to adjourn the meeting.

**Adjournment**

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

Trustee Pritchard announced the meeting adjourned at 10:10 p.m.

  
Board Clerk

  
Secretary, Board of Trustees

*Minutes submitted by Jane Boos, Manager, Board Office Operations*