

CAPISTRANO UNIFIED SCHOOL DISTRICT
BOARD OF TRUSTEES
MINUTES – REGULAR MEETING
NOVEMBER 14, 2012
EDUCATION CENTER – BOARD ROOM

President Pritchard called the meeting to order at 6:30 p.m. The Board recessed to closed session to discuss Student Expulsions.

Closed session recessed at 6:45 p.m.

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

The Pledge of Allegiance was led by Dana Hills High School ASB President Jimmy Fallon.

Present: Trustees Addonizio, Alpay, Brick, Hatton, Palazzo, Pritchard, and Student Advisor Madison Wolfert

Absent: Trustee Bryson

President Pritchard announced following tonight's Board meeting, Trustees will be holding the annual Capistrano Unified School District School Facilities Corporation meeting of the Board of Directors.

A CD of the Board meeting discussion related to each of the items on the public agenda is on file in the Superintendent's office as a matter of the permanent record. An audio recording of the meeting is available on the District website: www.capousd.org

Permanent Record

It was moved by Trustee Alpay, seconded by Trustee Brick, and motion carried by a 6-0 vote to adopt the Board agenda.

Adoption of the Board Agenda

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

President Pritchard reported the following action taken during closed session:

President's Report From Closed Session Meeting

Agenda Item #3 A1 – Student Expulsions:

The Board voted 6-0 to expel the following student: Case #2013-017.

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

Agenda Item #3 A2 through A7 – Student Expulsions:

The Board voted 6-0 to expel the following student by stipulated agreement: Case #2013-014, #2013-016, #2013-018, #2013-019, #2013-020, and #2013-021.

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

Chief Communications Officer Marcus Walton announced that Aliso Niguel High School student and 2012 Olympic gold medal gymnast Kyla Ross, who was scheduled to be recognized at this meeting, was invited to the White House to meet the President. Kyla will be rescheduled for recognition at a future Board meeting.

**Special
Recognitions**

Canyon Vista Elementary School, Newhart Middle School, and Niguel Hills Middle School were recognized for their outstanding PAL programs for 2011-2012. Trustees Jack Brick and Sue Palazzo were recognized for their service on the Board of Trustees from 2008 to 2012.

Student Body President Jimmy Fallon from Dana Hills High School presented a report on activities taking place at the high school.

**Student Body
Report**

Trustee Hatton thanked Trustees Brick and Palazzo for their service on the Board of Trustees and requested that closed session for the December 10, 2012, Board meeting be placed on the agenda following open session at 7:00 p.m.

**Board and
Superintendent
Comments**

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:

- *Robert Reidel asked Trustees to provide the status on the Oxford Preparatory Academy investigation.*

Dr. Farley told Mr. Reidel he would contact him to discuss this issue.

DISCUSSION/ACTION

President Pritchard announced the Public Hearing open at 7:25 p.m. regarding the Pupil-to-Teacher Waiver Request for Capistrano Home and Virtual School. There being no speakers to address the Board, President Pritchard declared the Public Hearing closed at 7:26 p.m.

**Public Hearing:
Pupil-to-Teacher
Waiver Request
Agenda Item 1**

Assistant Superintendent Julie Hatchel stated the District is seeking an Alternative School of Choice Waiver Request of Education Code §51745.6 to increase the pupil-to-teacher ratio from 30:1 to up to 33:1 at Capistrano Home and Virtual School. The revised ratio would allow resources to be redirected to other student services.

**Pupil-to-Teacher
Waiver Request
Agenda Item 2**

It was moved by Trustee Alpay, seconded by Trustee Hatton, and motion carried by a 6-0 vote to approve the Pupil-to-Teacher Waiver Request for Capistrano Home and Virtual School.

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

Assistant Superintendent Julie Hatchel provided a PowerPoint overview of the 2012 Accountability Progress Report along with additional standardized assessment results from the 2011-2012 academic year.

**Accountability
Progress Report
Agenda Item 3**

Trustee Addonizio asked staff how the District plans to address the decrease in API in some elementary schools. Dr. Hatchel stated staff is delving into the reasons. So far staff has discovered that demographic shifts, including higher numbers of socio-economic disadvantaged students and special education students have impacted some schools. Due to these shifts, the District needs to focus on advancing the ADD initiative, targeting particular subgroups, and providing teachers with strategies to meet and reach out to specific groups.

Deputy Superintendent Clark Hampton stated at the October 24, 2012, Board meeting Trustees received an update on the refinancing opportunities and approved the issuance of Refunding COPs to refinance the 2002 COP. Now for Board consideration is a resolution authorizing the issuance of 2012 General Obligation Refunding Bonds in a principal amount not to exceed \$32,000,000 to refinance outstanding Measure A bonds in order to achieve savings for District taxpayers.

**General Obligation
Refunding Bonds
Agenda Item 4**

It was moved by Trustee Alpay, seconded by Trustee Hatton, and motion carried by a 6-0 vote to approve Resolution No. 1213-27, Authorizing the Issuance of 2012 General Obligation Refunding Bonds.

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

Assistant Superintendent Jodee Brentlinger presented for first reading Board Policy 1312.3, *Uniform Complaint Procedures*. Mrs. Brentlinger explained the policy is being revised to meet new legal compliance requirements. The policy will be brought back to a future meeting for a second reading and approval.

**Board Policy
Revision
Agenda Item 5**

Trustee Addonizio requested staff provide Trustees with a copy of the law. Trustee Alpay requested the following changes before this item is brought back for second reading: section symbol throughout the policy should have two symbols together if more than one section is referenced; acronym for California Code of Regulations should be CCR not CCRs; and he questioned why, with reference to Title 5, Title is underlined beginning on page 3 of 6.

President Pritchard asked Trustees for items they wished to pull from the Consent Calendar. Items 18 through 22 were pulled.

**Items Pulled from
the Consent
Calendar**

CONSENT CALENDAR

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

Minutes of the October 24, 2012, regular Board meeting.

**Minutes
Agenda Item 6**

December 10, 2012, as the date for the annual organizational meeting of the Board of Trustees.

**Annual
Organizational
Meeting
Agenda Item 7**

Petition to waive California Education Code §60851(a) and Board Policy 6162.52 – California High School Exit Examination: Case #1213-001 through #1213-003.	California High School Exit Exam Agenda Item 8
Purchase orders, warrants, and previously Board-approved bids and contracts as listed.	Purchase Orders/Warrants Agenda Item 9
Donation of equipment.	Donations Agenda Item 10
Ratification of District standardized Independent Contractor, Master Contract, and Professional Services Agreements.	Professional Services Agreements Agenda Item 11
Non-standardized Master Contract Agreements between Mardan School, Pyramid Autism Center, Speech and Language Development Center, and Spectrum Center-Rossier Park Elementary.	Non-Standardized Master Contract Agreements Agenda Item 12
Ratification of special education Informal Dispute Resolution agreement Case #101812 and Case #101912.	Informal Dispute Resolution Agreement Agenda Item 13
Ratification of special education settlement agreement #2012070452.	Special Education Settlement Agreement Agenda Item 14
Resolution No. 1213-28, Authorizing Execution of a Joint Exercise of Powers Agreement with the District and the K-12 Public Schools and Community Colleges Facility Authority.	Joint Exercise of Powers Agreement Agenda Item 15
Agreement for Bond Counsel Services with Dannis Woliver Kelley to provide bond counsel and District counsel services associated with a refunding of outstanding Certificates of Participation and a refunding of outstanding General Obligation Bonds.	Bond Counsel Services Agreement Agenda Item 16
Agreement for Television Broadcasting and Consulting Services No. ICA1213159 with PBS SoCal/KOCE-TV Foundation to provide District teachers with instructional television materials and training on the effective use of television and Discovery Streaming for instruction in the classroom.	Television Broadcasting and Consulting Services Agenda Item 17
First Amendment to Resolution 1011-44, Designation of Agents.	Designation of Agents Resolution Amendment Agenda Item 23
Docufide Sender License Agreement with Parchment, Incorporated to provide a secure, online workflow for students to request their transcripts to be sent to any recipient worldwide.	Docufide Sender License Agreement Agenda Item 24

Ratification of Service Agreement, Network for a Healthy California Coalition Program No. 38722 with Orange County Superintendent of Schools to provide grant funds and administration services for the operation of the Network for a Healthy California Coalition program.

**Service Agreement
Agenda Item 25**

This item was pulled on November 9, 2012.

~~**Claim Denial
Agenda Item 26**~~

Approval of Claim #12-06712.

**Claim Approval
Agenda Item 27**

Utilization of the Wasco Union Elementary School District RFP Project No. 059-12M.1 to purchase Microsoft products from Shi International Corporation, under the same terms and conditions of the public agency's contract.

**Microsoft Products
Piggyback Bid
Agenda Item 28**

Resignations, retirements, and employment of classified personnel.

**Resignations/
Retirements/
Employment
(Classified
Personnel)
Agenda Item 29**

Resignations, retirements, and employment of certificated personnel.

**Resignations/
Retirements/
Employment
(Certificated
Personnel)
Agenda Item 30**

Acceptance of Williams Settlement Annual Report.

**Williams
Settlement Annual
Report
Agenda Item 31**

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

Trustee Alpay directed staff to revise the sentence in the agreements from; *This amount may be increased by mutual agreement* to "*This amount may be increased by mutual written agreement*" on all District agreements.

**Extension of
Consultant
Agreement
Agenda Items
18, 19, 21, 22**

It was moved by Trustee Alpay, seconded by Trustee Addonizio, and motion carried by a 6-0 vote to approve the extension of Consultant Agreement No. C0910107 with Bergman Dacey Goldsmith, a Professional Law Corporation to provide legal services, as required by the District; extension of Consultant Agreement No. C0910099 with Dannis Woliver Kelley to provide legal services, as required by the District; extension of Independent Contractor Agreement No. I1112088 with AlpenSpruce, LLC to provide services related to the development, training and deployment of SharePoint software, as required by the District; and extension of RFP No. 3-1011 for uniform service to be provided by Cintas Corporation.

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

Trustee Alpay questioned Deputy Superintendent Clark Hampton regarding the reason for this extension. Following questions and discussion between Trustee Alpay and Mr. Hampton, Dr. Farley suggested this item be continued so Trustee Alpay could provide detailed questions to staff and staff could prepare the answers.

**Extension of
Consultant
Agreement
Agenda Item 20**

It was moved by Trustee Alpay, seconded by Trustee Addonizio, and motion carried by a 6-0 vote to continue the extension of Consultant Agreement No. C1011103 with George Cooper Rudolph Attorney & Counselor at Law to provide legal services, as required by the District, to a future meeting.

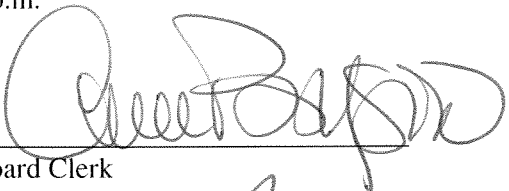
AYES: Trustees Addonizio, Alpay, Brick, Hatton, Palazzo, and Pritchard
NOES: None
ABSENT: Trustee Bryson
ABSTAIN: None


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

Adjournment

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

President Pritchard announced the meeting adjourned at 7:45 p.m.


Board Clerk


Secretary, Board of Trustees

Minutes submitted by Jane Boos, Manager, Board Office Operations