

CAPISTRANO UNIFIED SCHOOL DISTRICT  
BOARD OF TRUSTEES  
MINUTES – REGULAR MEETING  
OCTOBER 8, 2012  
EDUCATION CENTER – BOARD ROOM

President Pritchard called the meeting to order at 6:00 p.m. The Board recessed to closed session to: discuss Student Expulsions; confer with Legal Counsel regarding Anticipated Litigation; and discuss Public Employee Appointment/Employment.

Closed session recessed at 6:40 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 Aliso Niguel High School ASB President Patrick Brennan.

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

**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 Alpay, seconded by Trustee Bryson, and motion carried by a 7-0 vote to adopt the Board agenda.

**Adoption of the Board Agenda**

ROLL CALL: AYES: Trustees Addonizio, Alpay, Brick, Bryson, Hatton, Palazzo, Pritchard, and Student Advisor Madison Wolfert  
NOES: None  
ABSENT: None  
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 7-0 to expel the following student: Case #2013-003.

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

**Agenda Item #3 A2 – Student Expulsions:**

The Board voted 7-0 to expel the following student by stipulated agreement: Case #2013-005.

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

**Agenda Item #3 B1 – Conference with Legal Counsel – Anticipated Litigation:**

The Board voted 7-0 giving specific directions to legal counsel on this item.

**Agenda Item #3 B2 – Conference with Legal Counsel – Anticipated Litigation:**

The Board voted by a 7-0 vote to a settlement agreement with Horizons Construction Company International, Inc. in the amount of \$77,924.63.

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

**Agenda Item #3 C1 – Public Employee Appointment/Employment:**

The Board voted by a 7-0 vote to approve the appointment of John Albert, Director VI, Curriculum and Instructional Support.

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

**Agenda Item #3 C2 – Public Employee Appointment/Employment:**

The Board voted by a 7-0 vote to approve the appointment of Allen Becerra, Director I, Maintenance and Operations.

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

**Agenda Item #3 C3 – Public Employee Appointment/Employment:**

The Board voted by a 7-0 vote to approve the appointment of Krystal Allan, Assistant Principal, Newhart Middle School.

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

Sixth grade Don Juan Avila Middle School student Brody Jones was recognized for climbing Mt. Whitney on August 27.

**Special Recognitions**

Student Body President Patrick Brennan from Aliso Niguel High School presented a report on activities taking place at the high school.

**Student Body Report**

Trustee Hatton reminded everyone to participate in the CARE Foundation’s CARE 4KIDS run on October 13.

**Board and Superintendent Comments**

Trustee Bryson commented she attended the Direct TV Volunteer Day at San Juan Elementary School where over 200 volunteers refurbished the campus.

Due to the number of requests to address the Board, it was moved by Trustee Alpay, seconded by Trustee Bryson, and motion carried unanimously to suspend the maximum time requirement of 20 minutes for speakers and allow all speakers to address the Board.

**Oral Communications**

The following speakers addressed the Board:

- *Frank Camilleri, Vicki Hatz, and Sam Masotto spoke regarding the positive education their children were receiving at Oxford Preparatory Academy (OPA) and asked the Board to support OPA's expansion to K-12.*
- *Kim Hanley, Amy Hanacek, Bill Prestridge, Carol McCormick, and Ross Chun spoke of the positive public education their children were receiving and asked the Board not to support OPA's expansion to K-12.*

Dr. Farley made the following statement for the record regarding public statements by Oxford Academy parents: "Trustees are not permitted to talk about anything not on the agenda. As superintendent I may make brief remarks for the public. Regardless of your position on our schools or charters I thought it would be helpful to clear up a few items. Last week Trustees and I started receiving e-mails in support of material revisions to Oxford Academy's charter, including expansion to a K-12. The e-mails were surprising because there had been no discussion about materials revisions until we started receiving e-mails. Some e-mails also contained complaints about the District's negotiations on the joint use of facilities agreement between the District and Oxford. Although Oxford has never had a signed use of facilities agreement, there are three remaining issues concerning facilities, including: the payment schedule for fees; grounds and landscaping charges; and procedures for altering the District's facility. The Education Code defines the District's oversight responsibility over charter schools. This Board has taken this responsibility very seriously, just as it did when it originally approved the charter. The Education Code also defines the steps to be taken for material revisions of a charter. At this juncture, Oxford has not initiated any of these steps. If and when those steps are initiated, the District will respond as the law dictates, just as it did when it approved the original charter and a recent revision. Concerning the dispute over the joint use agreement, I would encourage the charter to continue to meet with District representatives to reach an agreement. If not that, Oxford may initiate the dispute resolution provisions of the charter itself. Those provisions clearly define the steps to be taken when two sides can't reach agreement. To some extent this discussion represents grass roots democracy at work, and the integrity of the District and the charter is defined by how we handle this process."

## **DISCUSSION/ACTION**

President Pritchard announced the Public Hearing open at 7:38 p.m. regarding Resolution No. 1213-25, Statement of Assurance for Instructional Materials Realignment Fund, Fiscal Year 2012-2013. There being no speakers to address the Board, President Pritchard declared the Public Hearing closed at 7:39 p.m.

**Public Hearing:  
Instructional  
Materials  
Realignment Fund  
Agenda Item 1**

Assistant Superintendent Julie Hatchel explained that California Education Code specifies a public hearing shall be held annually in order to receive funding for the Pupil Textbook and/or Instructional Materials Realignment Program. The Board shall make a determination through a resolution as to whether each pupil in each school in the District has sufficient textbooks and/or instructional materials in following the subject areas: English/Language Arts, History/Social Science, Health, Mathematics, Science, World Languages, and science laboratory equipment.

**Instructional  
Materials  
Realignment Fund  
Agenda Item 2**

It was moved by Trustee Bryson, seconded by Trustee Hatton, and motion carried by a 7-0 vote to approve the adoption of Resolution No.1213-25, Statement of Assurance for Instructional Materials Realignment Fund, Fiscal Year 2012-2013.

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

President Pritchard introduced this item by encouraging Trustees to consider the proposed magnet school as an opportunity of expanding educational opportunities for all children. President Pritchard shared three things he believes makes a magnet school worthy of the District's tradition of excellence: (1) the magnet school complements Dr. Farley's Achievement for All framework as there will be no testing to opt-in to the school; (2) the arts will have a unique place in the school, which will be focused on collaboration and creativity in developing strategies to engage children in science, technology, engineering, and mathematics; and (3) the school will work closely with the business community as a partner in learning.

**STEAM Magnet  
School  
Agenda Item 3**

Assistant Superintendent Julie Hatchel provided a PowerPoint presentation which included a video from Dr. Washington, Dean of Engineering at UCI. Dr. Washington spoke on the importance and benefits of a Science, Technology, Engineering, Arts, and Mathematics (STEAM) education and offered his support to partner with the District to make the magnet school a reality. Dr. Hatchel's presentation reviewed the conceptual framework for the development of a STEAM magnet school. Dr. Hatchel stated the magnet school program will provide a school of choice for students desiring to specialize in project-based learning focusing on STEAM content areas. The purpose of this STEAM magnet school would be to develop prerequisite skills necessary for students to compete in a 21<sup>st</sup> century global economy, including creativity and innovation, critical thinking and questioning, and collaboration and teamwork. Dr. Hatchel concluded her presentation by stating staff proposes this school be closely tied to a community wherein government and local businesses would be involved in creating outstanding educational opportunities for students. OC STEM has offered to establish a partnership to support the development of a magnet school and the District has already connected with community partners in Aliso Viejo, from working on a project at Newhart Middle School, who would be pleased to host a magnet program within the city. A city such as Aliso Viejo provides a diverse business community tied to STEAM careers. The District would like to eventually implement the tenants of STEAM into each school. This type of setting gives the District an opportunity to truly develop best practice in an integrated approach to STEAM teaching and learning.

The following people addressed the Board:

- *Sue Nuen, Michelle VanderVeldt, and Ross Chun spoke in support of STEAM to keep students competitive for universities and jobs.*

Trustees Alpay, Bryson, Hatton, and Pritchard asked questions and made comments following the speakers and voiced support for a STEAM magnet school in the District.

Assistant Superintendent Julie Hatchel introduced teachers Quin Thornburg, Margie Black, and Robin Hervey who provided an overview of the guiding principles of Education Through Music, gave video demonstrations and examples of its implementation within a classroom, and in a teacher workshop. Education Through Music is an instructional model that promotes the integration of music into the curricula in order to enhance students' academic performance and general development.

**Education through  
Music  
Agenda Item 4**

It was moved by Trustee Bryson, seconded by Trustee Alpay, and motion carried unanimously to approve the Surety Agreement for Takeover and Completion of Project – Bid No. 1011-11, Capistrano Valley High School Performing Arts Theater.

**CVHS Theater  
Project Takeover  
Agreement  
Agenda Item 5**

President Pritchard asked Trustees for items they wished to pull from the Consent Calendar. No agenda items were pulled.

**Items Pulled from  
the Consent  
Calendar**

**CONSENT CALENDAR**

It was moved by Trustee Addonizio, seconded by Trustee Alpay, and motion carried unanimously to approve the following Consent Calendar items:

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

**Minutes  
Agenda Item 6**

Readmission of students from expulsion: Case #2012-007.

**Expulsion  
Readmissions  
Agenda Item 7**

First amendment to Resolution No. 1213-01, Acceptance of the 2012 - 2013 California State Funded Preschool Contract.

**Preschool Contract  
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**

Ratification of special education Informal Dispute Resolution agreement Case #080512, Case #080612, Case #080912, Case #081012, Case #081112, and Case #091212.

**Informal Dispute  
Resolution  
Agreement  
Agenda Item 12**

Ratification of special education settlement agreement #2012080850.

**Special Education  
Settlement  
Agreement  
Agenda Item 13**

Amendment to special education Informal Dispute Resolution agreement Case #052511.

**Amendment to  
Informal Dispute  
Resolution  
Agreement  
Agenda Item 14**

Ratification of Change Order No. 13 related to the construction of the Capistrano Valley High School Performing Arts Center.

**Change Order #13  
CVHS Theater  
Agenda Item 15**

Amendment to Agreement Bid No. 1112-11 for weed abatement service with E. Stewart and Associates, Incorporated, increasing the “not to exceed” amount to \$150,000 for additional services as requested by the District

**Amendment of Bid  
Weed Abatement  
Service  
Agenda Item 16**

Resignations, retirements, and employment of classified personnel.

**Resignations/  
Retirements/  
Employment  
(Classified  
Personnel)  
Agenda Item 17**

Resignations, retirements, and employment of certificated personnel.

**Resignations/  
Retirements/  
Employment  
(Certificated  
Personnel)  
Agenda Item 18**

Teachers who are credentialed in subjects other than physical education to provide physical education credit to students in that respective sport.


**P.E. Credit  
Agenda Item 19**

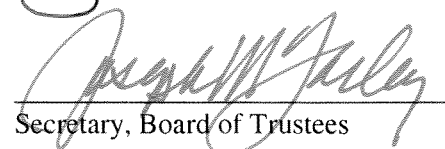
ROLL CALL: AYES: Trustees Addonizio, Alpay, Brick, Bryson, Hatton, Palazzo, Pritchard, and Student Advisor Madison Wolfert  
NOES: None  
ABSENT: None  
ABSTAIN: None

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

**Adjournment**

President Pritchard announced the meeting adjourned at 8:35 p.m.

  
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Board Clerk

  
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Secretary, Board of Trustees

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