

CAPISTRANO UNIFIED SCHOOL DISTRICT  
BOARD OF TRUSTEES  
MINUTES – REGULAR MEETING  
DECEMBER 10, 2012  
EDUCATION CENTER – BOARD ROOM

Superintendent Farley called the meeting to order at 7:00 p.m.

The Oath of Office was administered to Trustee Hanacek by Principal George Duarte, San Clemente High School.

The Oath of Office was administered to Trustee Reardon by Assemblywoman Diane Harkey, California Assembly District 73.

The Oath of Office was administered to Trustee Alpay by President Linda Verraster, San Clemente Education Foundation.

The Oath of Office was administered to Trustee Pritchard by Assemblywoman Diane Harkey, California Assembly District 73.

The Pledge of Allegiance was led by Student Advisor Madison Wolfert.

Present: Trustees Addonizio, Alpay, Bryson, Hanacek, Hatton, Pritchard, Reardon, 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, Bryson, Hanacek, Hatton, Pritchard, Reardon, and Student Advisor Madison Wolfert  
NOES: None  
ABSENT: None  
ABSTAIN: None

Superintendent Farley announced nominations were in order for President of the Board.

**Reorganization of the Board  
Agenda Item 1-3**

Trustee Pritchard nominated Trustee Alpay and Trustee Reardon nominated Trustee Hatton. There being no further nominations, nominations were closed by Trustee Addonizio, seconded by Trustee Pritchard. By a 5-1-1 roll call vote, Trustee Alpay was elected President of the Board.

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

President Alpay declared that nominations were in order for Vice President. Trustee Pritchard nominated Trustee Hatton. There being no further nominations, nominations were closed by Trustee Reardon, seconded by Trustee Pritchard. By a 7-0 oral vote, Trustee Hatton was elected Vice President of the Board.

AYES: Trustees Addonizio, Alpay, Bryson, Hanacek, Hatton, Pritchard, and Reardon  
NOES: Trustees None

President Alpay declared that nominations were in order for Clerk of the Board. Trustee Pritchard nominated Trustee Bryson. There being no further nominations, nominations were closed by Trustee Hatton, seconded by Trustee Pritchard. By a 7-0 oral vote, Trustee Bryson was elected Clerk of the Board.

AYES: Trustees Addonizio, Alpay, Bryson, Hanacek, Hatton, Pritchard, and Reardon

NOES: None

San Clemente High School Madrigals directed by Tiffany Fernandez presented a holiday musical performance.

**Musical Performance**

The Board recessed at 7:23 p.m. to reorganize the dais. The meeting reconvened at 7:30 p.m.

**Break**

President Alpay presented Trustee Pritchard with a plaque and gavel for serving as Board President from December 2011 to November 2012.

**Special Recognition**

Trustee Hanacek thanked everyone for electing her to serve on the Board. Trustee Hanacek commented she selected Principal Duarte to swear her in to acknowledge her appreciation of all the principals in the District for their leadership.

**Board and Superintendent Comments**

Trustee Pritchard recognized newly elected Aliso Viejo Council Member Ross Chun in the audience and stated he looks forward to working with the Aliso Viejo council. Trustee Pritchard added he appreciated all the support he received during the election.

Trustee Bryson shared she had attended the Ford Motor Company event for the Gang Reduction and Intervention Program (GRIP) students who earned the privilege of attending the event by meeting the goals of the program. Trustee Bryson spoke of the benefits and success of the program which assists at-risk students.

Trustee Alpay acknowledged his wife for her support during the campaign and taking on the responsibility of their three children and then thanked his supporters and stated it was a honor to be back on the dais.

Due to the number of requests to address the Board, it was moved by Trustee Addonizio, 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:

- *Kim Price, Wade Ison, Chris DeFonce, Lanan Clark, Jaye Salvin, and Robert Reidel spoke in regards to their disappointment in the District's treatment of the Oxford Preparatory Academy (OPA), specifically the testing investigation, lack of a facilities use agreement, and the need for a spirit of collaboration with OPA.*
- *Julie Collier stated now that the election is over the Board has the opportunity to prove it is willing to put student education as the number one priority, to honor choice in public education, and to spend wisely.*
- *Dr. Alejandra Oscar requested District assistance and support in obtaining a scholarship for her daughter.*
- *Melissa Alsop congratulated new Trustees, stated all Trustees were on the Board to serve children, and expressed her disappointment in Trustee candidates during the election.*

President Alpay asked Trustees to select committees they want to serve on in 2013.

Trustee Bryson will serve as the District's representative on the County Committee on School District Organization with Trustee Addonizio as the alternate.

Trustees Hatton and Pritchard will serve on the Orange County School Boards Political Action Group Effort (PAGE).

Trustees Addonizio and Reardon were selected to serve on the Instructional Materials Review Committee (IMRC).

Trustees selected to serve on the following ad hoc committees:

City of Aliso Viejo: Trustees Bryson and Pritchard

City of Dana Point: Trustees Alpay, Bryson, and Hanacek

City of Laguna Niguel: Trustees Addonizio and Bryson

City of Mission Viejo: Trustees Addonizio, Hatton, and Reardon

City of Rancho Santa Margarita: Trustees Hatton and Pritchard

City of San Clemente: Trustees Alpay and Hanacek

City of San Juan Capistrano: Trustees Addonizio and Reardon

Trustee Hatton will serve as an ex-officio member of the Capistrano Academic Resources to Education Foundation (CARE) and Trustee Bryson requested to serve as an alternate.

Trustee Pritchard will serve on the District Restructuring Council (DRC) with Trustee Alpay as the alternate.

It was moved by Trustee Addonizio, seconded by Trustee Bryson, and motion carried unanimously to approve the selection of Trustees serving on the County Committee on School District Organization, PAGE, IMRC, City ad hoc committees, CARE, and DRC.

Trustees Alpay, Hanacek, and Reardon requested to serve on the Regional Occupational Program (ROP) Board and Trustee Bryson requested to serve as the alternate. Since there are only two seats available on the ROP board and one alternate position, Trustees decided to elect two members and one alternate.

It was moved by Trustee Addonizio, seconded by Trustee Bryson, and motion carried by a 6-1 vote to approve Trustee Reardon as one of the representatives on the ROP Board.

AYES: Trustees Addonizio, Alpay, Bryson, Hanacek, Hatton, and Reardon

NOES: Trustee Pritchard

It was moved by Trustee Hanacek, seconded by Trustee Bryson, and motion carried by a 6-1 vote to approve Trustee Alpay as one of the representatives on the ROP Board.

AYES: Trustees Alpay, Bryson, Hanacek, Hatton, Pritchard, and Reardon

NOES: Trustee Addonizio

It was moved by Trustee Addonizio, seconded by Trustee Reardon, and motion carried unanimously to approve Trustee Bryson as the alternate for the ROP Board.

Trustees Alpay and Reardon will serve on the Regional Occupational Program (ROP) Board with Trustee Bryson serving as the alternate.

## DISCUSSION/ACTION

Deputy Superintendent Clark Hampton presented a PowerPoint review of the budget which covered 2012-2013 financial information and multi-year projections. Mr. Hampton explained this item presents a self-qualified certification of the First Interim Financial Report for 2012-2013, indicating the District may not meet its financial obligations for the current and two subsequent fiscal years. *(PowerPoint is posted on the District website: [www.capousd.org](http://www.capousd.org))*

**First Interim  
Report  
Agenda Item 5**

Following discussion, it was moved by Trustee Bryson, seconded by Trustee Hatton, and motion carried by a 6-1 vote to approve the certification of the 2012-2013 First Interim Report and adoption of Resolution No. 1213-30, 2012-2013 Revenue and Expenditure Increases/Decreases.

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

Deputy Superintendent Clark Hampton began by explaining this item presents a preliminary 2013-2014 budget calendar and the 2012-2013 budget guidelines and assumptions. The 2012-2013 guidelines and assumptions are presented for information purposes and to elicit input or revisions Trustees may wish to make prior to development of the fiscal 2013-2014 budget guidelines and assumptions. The guidelines and assumptions will be updated and revised to reflect the Governor's January budget proposal and presented in February for Board approval. Mr. Hampton then presented a PowerPoint review of the 2013-2014 preliminary budget calendar and the 2012-2013 budget guidelines and assumptions. *(PowerPoint is posted on the District website: [www.capousd.org](http://www.capousd.org))*

**Budget  
Development  
Agenda Item 6**

Trustee Addonizio stated she would like an item added to the Budget Guidelines and proposed a Budget Subcommittee which would include Board members, staff, and the Orange County Department of Education consultant. The subcommittee would meet frequently and present to the Board an operational budget, as well as a template of all the numbers to assist the Board with a good understanding of where the dollars are program by program.

Following discussion, it was moved by Trustee Bryson, seconded by Trustee Hatton, and motion carried unanimously to approve the 2013-2014 Preliminary Budget Calendar with the addition of a Budget Subcommittee in the Budget Guidelines as proposed by Trustee Addonizio.

Trustee Bryson requested to be one of the Trustees to participate on the subcommittee.

Assistant Superintendent Julie Hatchel stated this item is a follow-up to the informational item presented at the October 8, 2012, Board meeting and staff is now seeking direction regarding the development of a Science, Technology, Engineering, Arts, and Mathematics (STEAM) magnet/model school.

**STEAM Magnet  
School  
Agenda Item 7**

A motion, in the format of a resolution, directing staff regarding the development of the STEM magnet program was made by Trustee Reardon, seconded by Trustee Addonizio. The motion is as follows:

## AMENDED

Whereas, a District goal to increase quality instructional programs for CUSD families by offering educational choices, and

Whereas, the District's strategic plan directs us to expand innovative programs and develop 21<sup>st</sup> Century learning skills to prepare students for success in secondary and post-secondary education and careers, and

Whereas, one identified need within the District is to increase our focus on advancement of Science, Technology, Engineering, and Math (STEM) instruction in K-8 schools,

THEREFORE, BE IT RESOLVED, that District staff is directed to develop and present a plan for Board approval consisting of no fewer than three **distinct** phases, for example:

- Concept Justification Phase
- Detailed Planning Phase
- Implementation Phase

With the first-phase plan, however identified, to consist of detailed adoptable action resolution for consideration by the Board, that shall contain specific resource assignments (e.g., manpower, funds, and materials), and shall identify sources for these items, a schedule, and a task outline, and

BE IT FURTHER RESOLVED, each phase until the last shall include the task of preparing a detailed adoptable action resolution for consideration by the Board, which shall contain specific resource assignments, and schedule for the next phase, including estimates for remaining phases, if known.

AND FINALLY, BE IT RESOLVED, that structure of these plans shall include opportunities for collaboration with employee associations, affected communities, parents, and taxpayers of the Capistrano Unified School District.

Following discussion, Trustee Hanacek made a substitute motion, seconded by Trustee Bryson, and motion carried unanimously to approve the development/implementation of a STEAM magnet program with a phase structure plan as proposed by Trustee Reardon.

Dr. Farley stated this agenda item presents the proposed schedule of meetings for the period of July through December 2013.

**Board Meeting  
Schedule  
Agenda Item 8**

It was moved by Trustee Addonizio, seconded by Trustee Reardon, to approve the proposed July through December 2013 School Board Meeting Schedule.

Following discussion, Trustee Hatton made a substitute motion, seconded by Trustee Bryson, and motion carried unanimously to approve moving the July through December 2013 meetings to the second and fourth Wednesday each month and amending the July through December calendar presented by staff.

Following the substitute motion and prior to the approval of the amended July through December calendar Trustees discussed the previously approved January through June 2013 Board meeting dates. Dr. Farley stated the January through June calendar approved on March 28, 2012, will be agendized for the January 7, 2013, Board meeting for Trustee consideration to change the approved Monday meetings to Wednesday nights to be consistent with the approved July through December calendar.

It was moved by Trustee Pritchard, seconded by Trustee Addonizio, and motion carried unanimously to approve revisions to Board Policy 1212.3, *Uniform Complaint Procedures*.

**Board Policy  
Revision  
Agenda Item 9**

President Alpay asked Trustees for items they wished to pull from the Consent Calendar. Agenda items 13, 18, and 23 were pulled.

**Items Pulled from  
the Consent  
Calendar**

Trustees Hanacek and Reardon stated they were abstaining from voting Agenda Item 10, minutes of November 14, 2012, Board meeting and Agenda Item 17, Purchase Orders, Commercial Warrants, and previously Board-approved Bids and Contracts.

## **CONSENT CALENDAR**

It was moved by Trustee Addonizio, seconded by Trustee Bryson, and motion carried by a 7-0 vote to approve the following Consent Calendar items:

Minutes of the November 14, 2012, regular Board meeting.

**Minutes  
Agenda Item 10**

Expunging of expulsion record: Case #2011-008.

**Expulsion  
Readmission  
Agenda Item 11**

Petition to waive California Education Code §60851(a) and Board Policy 6162.52 – California High School Exit Examination: Case #1213-004 through #1213-005.

**California High  
School Exit Exam  
Agenda Item 12**

Service Agreement No. 38811 authorizing the execution of the Orange County Department of Education/Kaiser Permanente Orange County Community Benefit Grant Program.

**Service Agreement  
Agenda Item 14**

Student teaching agreement with California State University, Dominguez Hills.

**Student Teaching  
Agreement  
Agenda Item 15**

Student teaching agreement with Hope International University of Fullerton.

**Student Teaching  
Agreement  
Agenda Item 16**

Purchase orders, warrants, and previously Board-approved bids and contracts as listed.

**Purchase  
Orders/Warrants  
Agenda Item 17**

Ratification of District standardized Independent Contractor, Master Contract, and Professional Services Agreements.

**Professional  
Services  
Agreements  
Agenda Item 19**

Ratification of special education Informal Dispute Resolution agreement Case #080712, Case #102012, and Case #102112.

**Informal Dispute  
Resolution  
Agreement  
Agenda Item 20**

Ratification of the modification to special education settlement agreement #2012080850.	<b>Modification to Special Education Agreement Agenda Item 21</b>
Interagency Agreement between the District and the Regional Center of Orange County.	<b>Interagency Agreement Agenda Item 22</b>
Ratification of Change Order No. 14 related to the construction of the Capistrano Valley High School Performing Arts Center.	<b>Change Order #14 CVHS Theater Agenda Item 24</b>
Extension of Independent Contractor Agreement No. I1011110 with MTGL, Incorporated to provide special inspections and materials testing for construction projects.	<b>Extension of Independent Contractor Agreement Agenda Item 25</b>
Extension of Independent Contractor Agreement No. I1011109 with Knowland Construction Services to provide Department of the State Architect approved inspectors of record for construction projects.	<b>Extension of Independent Contractor Agreement Agenda Item 26</b>
Extension of Independent Contractor Agreement No. I1011111 with Ninyo & Moore to provide special inspections and materials testing for construction projects.	<b>Extension of Independent Contractor Agreement Agenda Item 27</b>
Amendment to Agreement Bid No. 1011-14 for grocery products with Gold Star Foods, Incorporated, increasing the “not to exceed” amount to \$131,000 annually for additional grocery products required due to menu changes related to USDA regulations.	<b>Amendment to Agreement Agenda Item 28</b>
Resignations, retirements, and employment of classified personnel.	<b>Resignations/ Retirements/ Employment (Classified Personnel) Agenda Item 29</b>
Resignations, retirements, and employment of certificated personnel.	<b>Resignations/ Retirements/ Employment (Certificated Personnel) Agenda Item 30</b>
Acceptance of Williams Settlement First Quarter Site Review Report.	<b>Williams Settlement Report Agenda Item 31</b>

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

Trustee Reardon questioned Assistant Superintendent Sara Jocham regarding the Community Advisory Committee (CAC) funding sources, Ed. Code compliance, and committee members. Assistant Superintendent Sara Jocham responded the committee was not funded by the District, Ed. Code requirements were met, and there are four professionals on the committee.

**Community  
Advisory  
Committee  
Agenda Item 13**

It was moved by Trustee Reardon, seconded by Trustee Bryson, and motion carried unanimously to approve the appointment of candidates to serve as Community Advisory Committee (CAC) voting members for the 2013 and 2014 calendar years.

Trustee Reardon stated the language in the description of this item lists the amount of cash donated but items other than cash have no financial impact on the budget. Trustee Reardon questioned why no financial value was assigned to the donated equipment and other items as it would have a positive financial impact on the District. Deputy Superintendent Hampton was able to explain the reason to Trustee Reardon's satisfaction as these items have a positive and negative impact.

**Donations  
Agenda Item 18**

It was moved by Trustee Reardon, seconded by Trustee Bryson, and motion carried unanimously to approve the donations of equipment.

Trustee Reardon questioned the amount of money the report shows spent on planning. Deputy Superintendent Clark Hampton introduced Larry Ferchaw, Senior Director, Donlinka Group LLC, who prepared the report to answer Trustee Reardon's question. Mr. Ferchaw stated the charges were for planning for future facilities related to growth and staff-time related items.

**Reportable Fees  
Reports  
Agenda Item 23**

It was moved by Trustee Reardon, seconded by Trustee Bryson, and motion carried unanimously to approve Resolution No. 1213-29 authorizing the Annual and Five-Year Reportable Fees Reports for Fiscal Year 2011-2012.

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

The Board recessed to closed session at 9:56 p.m. to discuss: Public Employee Discipline/Dismissal/Release; Public Employee Appointment/Employment; and student expulsions.

President Alpay reconvened the meeting at 10:47 p.m. and reported the following action taken during closed session:

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

**Agenda Item #32 A – Public Employee Discipline/Dismissal/Release:**

By a roll call vote, the Board voted 6-0 to approve Resolution No 1213-31 to terminate Employee ID Number 020475.



ROLL CALL: AYES: Trustees Addonizio, Alpay, Hanacek, Hatton, Pritchard, and Reardon  
NOES: None  
ABSENT: Trustee Bryson (out of the room at the time the vote was taken.)  
ABSTAIN: None

**Agenda Item #32 B – Public Employee Appointment/Employment:**

The Board voted 7-0 to approve the appointment of Gary Hall, Manager I, Maintenance and Operations.

AYES: Trustees Addonizio, Alpay, Bryson, Hanacek, Hatton, Pritchard, and Reardon  
NOES: None

**Agenda Item #32 C1 – Student Expulsions:**

The Board voted 7-0 to expel the following student: Case #2013-015.

AYES: Trustees Addonizio, Alpay, Bryson, Hanacek, Hatton, Pritchard, and Reardon  
NOES: None

**Agenda Item #32 C2 – Student Expulsions:**

The Board voted 7-0 to expel the following student: Case #2013-025.

AYES: Trustees Addonizio, Alpay, Bryson, Hanacek, Hatton, Pritchard, and Reardon  
NOES: None


**Agenda Item #32 C3 through A5 – Student Expulsions:**

The Board voted 7-0 to expel the following students by stipulated agreement: Case #2013-022, #2013-023, and #2013-024.

AYES: Trustees Addonizio, Alpay, Bryson, Hanacek, Hatton, Pritchard, and Reardon  
NOES: None

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

President Alpay announced the meeting adjourned at 10:50 p.m.

  
\_\_\_\_\_  
Board Clerk

  
\_\_\_\_\_  
Secretary, Board of Trustees