

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

REVISED
8-12-13

BOARD OF TRUSTEES
Regular Meeting

August 14, 2013

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. CONFERENCE WITH LABOR NEGOTIATORS

Dr. Joseph M. Farley/Jodee Brentlinger/Clark Hampton/Jon Pearl

Employee Organizations:

- 1) Capistrano Unified Education Association (CUEA)
- 2) Capistrano School Employees Association (CSEA)
- 3) Teamsters
- 4) Unrepresented Employees (CUMA)

(Pursuant to Government Code §54957.6)

B. PUBLIC EMPLOYEE PERFORMANCE EVALUATION

Superintendent

(Pursuant to Government Code §54957)

PUBLIC HEARING: Agenda Item #1 – Recommendation of Tentative Agreement with CUEA for 2013-2014
PUBLIC HEARING: Agenda Item #3 – Material Revision of Oxford Preparatory Academy Charter Petition

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.

PLEDGE OF ALLEGIANCE

ADOPTION OF THE AGENDA – ROLL CALL

REPORT ON CLOSED SESSION ACTION

BOARD AND SUPERINTENDENT COMMENTS

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.

PUBLIC HEARINGS

- 1. PUBLIC HEARING – RECOMMENDATION OF TENTATIVE AGREEMENT WITH CAPISTRANO UNIFIED EDUCATION ASSOCIATION FOR JULY 1, 2013 – JUNE 30, 2014:** INFORMATION/
DISCUSSION

The Board will conduct a public hearing on the recommendation of Tentative Agreement with Capistrano Unified Education Association for July 1, 2013 – June 30, 2014. Supporting information is located in Exhibit 2.

- 2. RECOMMENDATION OF TENTATIVE AGREEMENT WITH CAPISTRANO UNIFIED EDUCATION ASSOCIATION FOR JULY 1, 2013- JUNE 30, 2014:** DISCUSSION/
ACTION
Page 1
EXHIBIT 2

The purpose of this agenda item is to seek approval of the Tentative Agreement between the District and the Capistrano Unified Education Association (CUEA). In addition to the Tentative Agreement, the Public Disclosure of Collective Bargaining Agreement is included in the exhibit. The total estimated fiscal impact of this agreement is an estimated savings to the District of approximately \$9.8 million for the 2013-2014 fiscal year.

CUSD Strategic Plan Pillar 5: Effective Operations

Contact: Jodee Brentlinger, Assistant Superintendent, Personnel Services

Staff Recommendation

It is recommended the Board President recognize Jodee Brentlinger, Assistant Superintendent, Personnel Services, who will present this item.

Following discussion, it is recommended the Board of Trustees approve the Tentative Agreement with CUEA for July 1, 2013 – June 30, 2014.

Motion by _____ Seconded by _____

- 3. PUBLIC HEARING – MATERIAL REVISION OF OXFORD PREPARATORY ACADEMY CHARTER PETITION:** INFORMATION/
DISCUSSION

The Board will conduct a public hearing on the Material Revision of Oxford Preparatory Academy Charter Petition. Supporting information is located in Exhibit 4.

CUSD Strategic Plan Pillar 5: Effective Operations

Contact: Julie Hatchel, Assistant Superintendent, Education Services, Elementary

Staff Recommendation

It is recommended the Board President open the public hearing, determine if members of the public have submitted requests to speak on the item, and after hearing any speakers, formally close the public hearing.

4. MATERIAL REVISION OF OXFORD PREPARATORY ACADEMY CHARTER PETITION:

DISCUSSION/
ACTION
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EXHIBIT 4

The District received the Oxford Preparatory Academy – South Orange County (OPA-SOC) Charter Petition on October 31, 2010. The District granted an initial material revision to the Petition on January 25, 2012, to increase its total enrollment from 628 to 772 for 2012-2013, and subsequent school years. On May 28, 2013, the District received OPA-SOC’s request for further material revision of its Charter Petition seeking an increase of its independent study enrollment by 60 students, from 100 to 160. A revised request was submitted on July 19, 2013, requesting an increase of enrollment of the OPA-SOC classroom-based program by 32 students from 672 to 704. In total, OPA-SOC requests to increase student enrollment to 864.

CUSD Strategic Plan Pillar 3: Academic Achievement & Enrichment

Contact: Julie Hatchel, Assistant Superintendent, Education Services, Elementary

Staff Recommendation

It is recommended the Board President recognize Julie Hatchel, Assistant Superintendent, Education Services, Elementary, who will present this item.

Following discussion, it is recommended the Board of Trustees consider the material revisions of the Oxford Preparatory Academy – South Orange County Charter Petition and any conditions for its implementation.

Motion by _____ Seconded by _____

DISCUSSION/ACTION ITEMS

5. RESOLUTION NO. 1314-07 AUTHORIZING THE LEVY OF SPECIAL TAXES IN IMPROVEMENT AREA NO. 2002-1 OF COMMUNITY FACILITIES DISTRICT NO. 90-2:

DISCUSSION/
ACTION
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EXHIBIT 5

The Board will be provided information summarizing the three options available for distribution of the refinancing savings as it pertains to Community Facilities District (CFD) No. 90-2, Improvement Area No. 2002-1. Resolution No. 1314-07 authorizes the levy of Special Taxes within Improvement Area (IA) No. 2002-1 of CFD No. 90-2 (Talega) for fiscal year 2013-2014. In order to secure the tax roll for IA No. 2002-1 of CFD No. 90-2 in fiscal year 2013-2014, the District must notify the County of Orange Auditor-Controller no later than August 20, 2013, or other duly authorized date, with a certified copy of Resolution No. 1314-07, along with a copy of the annual levy of Special Taxes for fiscal year 2013-2014. David Taussig & Associates will deliver the required documents on the District’s behalf to the County of Orange.

CUSD Strategic Plan Pillar 5: Effective Operations

Contact: Clark Hampton, Deputy Superintendent, Business and Support Services

Staff Recommendation

It is recommended the Board President recognize Clark Hampton, Deputy Superintendent, Business and Support Services, to present this item.

Following discussion, it is recommended the Board of Trustees provide staff with direction on the distribution of the refinancing savings as it pertains to Improvement Area No. 2002-1 of CFD 90-2 and approve Resolution No. 1314-07 authorizing the levy of Special Taxes in Improvement Area No. 2002-1 of CFD No. 90-2.

Motion by _____ Seconded by _____
 ROLL CALL:
 Trustee Addonizio _____ Trustee Hatton _____
 Trustee Bryson _____ Trustee Pritchard _____
 Trustee Hanacek _____ Trustee Reardon _____
 Trustee Alpay _____

6. RESOLUTION NO. 1314-08 AUTHORIZING THE LEVY OF SPECIAL TAXES IN COMMUNITY FACILITIES DISTRICT NO. 92-1:

DISCUSSION/
 ACTION
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EXHIBIT 6

The Board will be provided information summarizing the four options available for distribution of the refinancing savings as it pertains to Community Facilities District (CFD) No. 92-1. Resolution No. 1314-08 authorizes the levy of Special Taxes in CFD No. 92-1 (Las Flores) for fiscal year 2013-2014. In order to secure the tax roll for CFD No. 92-1 in fiscal year 2013-2014, the District must notify the County of Orange Auditor/Controller no later than August 20, 2013, or other duly authorized date, with a certified copy of Resolution No. 1314-08 along with a copy of the annual levy of Special Taxes for fiscal year 2013-2014. David Taussig & Associates will deliver the required documents on the District's behalf to the County of Orange.

CUSD Strategic Plan Pillar 5: Effective Operations

Contact: *Clark Hampton, Deputy Superintendent, Business and Support Services*
Staff Recommendation

It is recommended the Board President recognize Clark Hampton, Deputy Superintendent, Business and Support Services, to present this item.

Following discussion, it is recommended the Board of Trustees provide staff with direction on the distribution of the refinancing savings as it pertains to CFD No. 92-1 and approve Resolution No. 1314-08, authorizing the levy of Special Taxes in CFD 92-1 (Las Flores) for fiscal year 2013-2014.

Motion by _____ Seconded by _____
 ROLL CALL:
 Trustee Addonizio _____ Trustee Hatton _____
 Trustee Bryson _____ Trustee Pritchard _____
 Trustee Hanacek _____ Trustee Reardon _____
 Trustee Alpay _____

7. PROPOSED 2013-2014 REVISED SCHOOL CALENDAR:

DISCUSSION/
 ACTION
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EXHIBIT 7

Trustees approved changes to the 2013-2014 School Calendar at May 8, 2013. After the adoption of the calendar, the District reached a Tentative Agreement with the Capistrano Unified Education Association which necessitated changes to the adopted calendar. This item presents Trustees with the recommended revisions to the District instructional calendar for the 2013-2014 school year.

CUSD Strategic Plan Pillar 3: Academic Achievement & Enrichment

Contact: *Julie Hatchel, Assistant Superintendent, Education Services, Elementary*
Staff Recommendation

Staff Recommendation

It is recommended the Board President recognize Julie Hatchel, Assistant Superintendent, Education Services, Elementary, who will present this item.

Following discussion, it is recommended the Board of Trustees approve the proposed 2013-2014 revised school calendar.

Motion by _____ Seconded by _____

8. FIRST READING – REVISIONS TO BOARD POLICY 5160.1, RELEASE OF SPECIAL EDUCATION PUPILS BY BUS DRIVER:

Board Policy 5160.1, *Release of Special Education Pupils by Bus Driver*, is being revised to require the presence of an adult at the drop-off location for preschool and elementary students receiving curb-to-curb transportation. Staff is requesting the Board waive the second reading so the policy may be implemented and parents informed at the start of the 2013-2014 school year. Changes are underlined; deletions are struck through. There is no financial impact.

CUSD Strategic Plan Pillar 2: Safe and Healthy Schools

Contact: Sara Jocham, Assistant Superintendent, SELPA and Special Education Operations

Staff Recommendation

It is recommended the Board President recognize Sara Jocham, Assistant Superintendent, SELPA and Special Education Operations, to present this item.

Following discussion, it is recommended the Board of Trustees waive the second reading and approve the revisions to Board Policy 5160.1, *Release of Special Education Pupils by Bus Driver*.

Motion by _____ Seconded by _____

9. FIRST READING – REVISIONS TO BOARD BYLAW 9100, ANNUAL ORGANIZATIONAL MEETING:

Board Bylaw 9100, *Annual Organizational Meeting*, is being revised to reflect the Board's current practices at its annual organizational meeting. Proposed additions to the Board policy are underlined; deletions are struck through.

CUSD Strategic Plan Pillar 5: Effective Operations

Contact: Joseph M. Farley, Superintendent

Staff Recommendation

It is recommended the Board President recognize Joseph M. Farley, Superintendent, who will provide information on this item and answer any questions Trustees may have. This is an information item and no Board action is necessary.

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

10. SCHOOL BOARD MINUTES:

Approval of the minutes of the July 24, 2013, regular Board meeting.

Contact: Jane Boos, Manager, Board Office Operations

11. CONFLICT OF INTEREST CODE AMENDMENT:

Approval of the amendment to the Conflict of Interest Code Designated Filers. On February 9, 2010, the Board approved a resolution requesting the Board of Trustees adopt a Conflict of Interest Code, which supersedes all prior Conflict of Interest Codes and amendments previously adopted. Michelle Le Patner's designation as Assistant Superintendent, Education Services, Secondary on July 10, 2013, now requires the list of filers be amended. The Conflict of Interest Code, list of designated filers, and disclosure description category, constitute the Conflict of Interest Code of the Capistrano Unified School District and are included as the exhibit for this item. There is no financial impact.

CUSD Strategic Plan Pillar 5: Effective Operations

Contact: Joseph M. Farley, Superintendent

DISCUSSION/
ACTION

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EXHIBIT 8

INFORMATION/
DISCUSSION

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EXHIBIT 9

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EXHIBIT 10

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EXHIBIT 11

CURRICULUM & INSTRUCTION

12. **ATHLETIC TRAINING AFFILIATE/ALLIED SITE AGREEMENT - CONCORDIA UNIVERSITY:** Page 49
EXHIBIT 12
Approval of the Athletic Training Affiliate/Allied Site Agreement to allow Concordia University to send athletic training students to San Juan Hills High School to receive education experience working under a Certified Athletic Trainer. All collegiate athletic training students must complete a clinical education rotation as part of their degree in Athletic Training. Concordia University students will be supervised at all times by the Athletic Trainer at San Juan Hills High School. There is no financial impact.
CUSD Strategic Plan Pillar 3: Academic Achievement and Enrichment
Contact: Michelle Le Patner, Assistant Superintendent, Education Services, Secondary
13. **STUDENT TEACHING AGREEMENT – WESTERN GOVERNORS UNIVERSITY:** Page 55
EXHIBIT 13
Approval of student teaching agreement with Western Governors University. During the school year, master teachers are selected to work with student teachers to fulfill the requirements for student teaching at various institutes of higher education. Student teaching is the fieldwork experience necessary to earn a teaching credential.
CUSD Strategic Plan Pillar 1: Community Relations
Contact: Julie Hatchel, Assistant Superintendent, Education Services, Elementary
14. **EXTENDED SCHOOL YEAR PROPOSAL FOR 2014:** Page 61
EXHIBIT 14
Approval of the proposed 2014 Extended School Year (ESY) program. California Code of Regulations §3043, Title 5, establishes that ESY services shall be provided for each individual with exceptional needs who requires special education and related services in excess of the regular academic year. A student is eligible for ESY if it is determined by the Individualized Education Program team that interruption of the pupil's educational programming may cause regression, when coupled with limited recoupment capacity, rendering it impossible or unlikely the pupil will attain the level of self-sufficiency and independence that would otherwise be expected in view of his or her handicapping condition. For 2014, staff is recommending a 20-day program for ESY students. The proposed ESY classes will be offered at three elementary schools, two middle schools, one high school, and one adult transition center, and will serve approximately 1,100 students. The total cost of the special education ESY program is approximately \$1,800,000. The District is reimbursed approximately \$360,000 for students who participate in this program.
CUSD Strategic Plan Pillar 3: Academic Achievement & Enrichment
Contact: Sara Jocham, Assistant Superintendent, SELPA and Special Education Operations

BUSINESS & SUPPORT SERVICES

15. **PURCHASE ORDERS, COMMERCIAL WARRANTS, AND PREVIOUSLY BOARD – APPROVED BIDS AND CONTRACTS:** Page 63
EXHIBIT 15
Approval of purchase orders (Attachment 1) and commercial warrants (Attachment 2). The expenditures related to the listed purchase orders and commercial warrants included in this item were previously authorized as part of the District's budget approval process. The purchase orders total \$14,848,632.64 and the commercial warrants total \$6,309,345.46. Attachment 3 is a list of previously Board-approved bids and contracts to assist in the review of the purchase order and commercial warrant listings. Attachment 4 is a list of previously Board-approved by vendor warrants exceeding \$250,000.
CUSD Strategic Plan Pillar 5: Effective Operations
Contact: Clark Hampton, Deputy Superintendent, Business and Support Services

16. DONATION OF FUNDS AND EQUIPMENT:

Page 115

EXHIBIT 16

A number of gifts have been donated to the District, including \$264,121.43 in cash. These funds will be deposited in the appropriate school accounts. Items other than cash have no financial impact on the budget. The District does not guarantee maintenance of items or the expenditure of any District funds for continued use.

CUSD Strategic Plan Pillar 3: Academic Achievement & Enrichment

Contact: Clark Hampton, Deputy Superintendent, Business and Support Services

17. INDEPENDENT CONTRACTOR, MASTER CONTRACT, AND PROFESSIONAL SERVICES AGREEMENTS:

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EXHIBIT 17

Approval and ratification of the District standardized Independent Contractor, Professional Services and Master Contract Agreements. Due to state budget cuts to schools over the last several years, staff requests contractors to reduce their fees for services by ten percent. The expenditures related to the listed agreements were previously authorized as part of the District's budget approval process. The exhibit shows eight new agreements totaling \$462,755, two ratifications to existing agreements totaling \$253,650, eight extensions to existing agreements totaling \$458,900, two extension ratifications to existing agreements totaling \$68,000, and two amendment ratifications to existing agreements adding special conditions.

Due to the size of the contract documents, the General Conditions for each type of agreement are posted online on the District's Board Agendas and Supporting Documentation page.

CUSD Strategic Plan Pillar 5: Effective Operations

Contact: Clark Hampton, Deputy Superintendent, Business and Support Services

18. SPECIAL EDUCATION INFORMAL DISPUTE RESOLUTION AGREEMENTS:

Approval of the ratification of special education Informal Dispute Resolution Agreement Case #065713, Case #066613, and Case #067013. Due to the confidential nature of the agreements, supporting information is provided to Trustees under separate cover.

CUSD Strategic Plan Pillar 3: Academic Achievement & Enrichment

Contact: Sara Jocham, Assistant Superintendent, SELPA and Special Education Operations

19. SPECIAL EDUCATION INFORMAL DISPUTE RESOLUTION AGREEMENT:

Approval of special education Informal Dispute Resolution Agreement Case #013113. Due to the confidential nature of the agreement, supporting information is provided to Trustees under separate cover.

CUSD Strategic Plan Pillar 3: Academic Achievement & Enrichment

Contact: Sara Jocham, Assistant Superintendent, SELPA and Special Education Operations

20. RESOLUTION NO. 1314-03 AUTHORIZING THE LEVY OF SPECIAL TAXES IN COMMUNITY FACILITIES DISTRICT NO. 87-1:

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EXHIBIT 20

Approval of Resolution No. 1314-03 authorizing the levy of Special Taxes in Community Facilities District (CFD) No. 87-1 (Mission Viejo/Aliso Viejo) for fiscal year 2013-2014. In order to secure the tax roll for CFD No. 87-1 in fiscal year 2013-2014, the District must notify the County of Orange Auditor-Controller no later than August 20, 2013, or other duly authorized date, with a certified copy of Resolution No. 1314-03, along with a copy of the annual levy of Special Taxes for fiscal year 2013-2014. David Taussig & Associates will deliver the required documents on the District's behalf to the County of Orange.

CUSD Strategic Plan Pillar 5: Effective Operations

Contact: Clark Hampton, Deputy Superintendent, Business and Support Services

21. **RESOLUTION NO. 1314-04 AUTHORIZING THE LEVY OF SPECIAL TAXES IN COMMUNITY FACILITIES DISTRICT NO. 88-1:** Page 317
EXHIBIT 21
Approval of Resolution No. 1314-04 authorizing the levy of Special Taxes in Community Facilities District (CFD) No. 88-1 (Rancho Santa Margarita) for fiscal year 2013-2014. In order to secure the tax roll for CFD No. 88-1 in fiscal year 2013-2014, the District must notify the County of Orange Auditor-Controller no later than August 20, 2013, or other duly authorized date, with a certified copy of Resolution No. 1314-04, along with a copy of the annual levy of Special Taxes for fiscal year 2013-2014. David Taussig & Associates will deliver the required documents on the District's behalf to the County of Orange.
CUSD Strategic Plan Pillar 5: Effective Operations
Contact: Clark Hampton, Deputy Superintendent, Business and Support Services
22. **RESOLUTION NO. 1314-05 AUTHORIZING THE LEVY OF A SPECIAL TAX IN COMMUNITY FACILITIES DISTRICT NO. 90-1:** Page 323
EXHIBIT 22
Approval of Resolution No. 1314-05 affirming, ratifying, and authorizing the levy of a Special Tax in Community Facilities (CFD) No. 90-1 (Coto de Caza), for fiscal year 2013-2014. The Special Tax of CFD No. 90-1 is collected by the District prior to issuance of any building permit in CFD No. 90-1; therefore, there is no need to notify the County of Orange Auditor-Controller.
CUSD Strategic Plan Pillar 5: Effective Operations
Contact: Clark Hampton, Deputy Superintendent, Business and Support Services
23. **RESOLUTION NO. 1314-06 AUTHORIZING THE LEVY OF SPECIAL TAXES IN COMMUNITY FACILITIES DISTRICT NO. 90-2:** Page 329
EXHIBIT 23
Approval of Resolution No. 1314-06 authorizing the levy of Special Taxes in Community Facilities District (CFD) No. 90-2 (Talega) for fiscal year 2013-2014. In order to secure the tax roll for CFD No. 90-2 in fiscal year 2013-2014, the District must notify the County of Orange Auditor-Controller no later than August 20, 2013, or other duly authorized date, with a certified copy of Resolution No. 1314-06, along with a copy of the annual levy of Special Taxes for fiscal year 2013-2014. David Taussig & Associates will deliver the required documents on the District's behalf to the County of Orange.
CUSD Strategic Plan Pillar 5: Effective Operations
Contact: Clark Hampton, Deputy Superintendent, Business and Support Services
24. **RESOLUTION NO. 1314-09 AUTHORIZING THE LEVY OF SPECIAL TAXES IN COMMUNITY FACILITIES DISTRICT NO. 94-1:** Page 335
EXHIBIT 24
Approval of Resolution No. 1314-09 authorizing the levy of Special Taxes in Community Facilities District (CFD) No. 94-1 (Rancho Santa Margarita) for fiscal year 2013-2014. In order to secure the tax roll for CFD No. 94-1 in Fiscal Year 2013-2014, the District must notify the County of Orange Auditor-Controller no later than August 20, 2013, or other duly authorized date, with a certified copy of Resolution No. 1314-09, along with a copy of the annual levy of Special Taxes for fiscal year 2013-2014. David Taussig & Associates will deliver the required documents on the District's behalf to the County of Orange.
CUSD Strategic Plan Pillar 5: Effective Operations
Contact: Clark Hampton, Deputy Superintendent, Business and Support Services

25. **RESOLUTION NO. 1314-10 AUTHORIZING THE LEVY OF SPECIAL TAXES IN COMMUNITY FACILITIES DISTRICT NO. 98-1A:** Page 341
EXHIBIT 25
Approval of Resolution No. 1314-10 authorizing the levy of Special Taxes in Community Facilities District (CFD) No. 98-1A (Pacifica San Juan) for fiscal year 2013-2014. Such Special Taxes were levied, in prior fiscal years, on a partial basis, and for fiscal year 2013-2014, are levied on a partial basis at less than the “Assigned Special Tax” for CFD No. 98-1A. As in prior fiscal years, this is not a precedent for future fiscal years, as to do so would be contrary to contracts previously entered into with the applicable property owner. In order to secure the tax roll for CFD No. 98-1A in fiscal year 2013-2014, the District must notify the County of Orange Auditor-Controller no later than August 20, 2013, or other duly authorized date, with a certified copy of Resolution No. 1314-10, along with a copy of the annual levy of Special Taxes for fiscal year 2013-2014. David Taussig & Associates will deliver the required documents on the District’s behalf to the County of Orange.
CUSD Strategic Plan Pillar 5: Effective Operations
Contact: Clark Hampton, Deputy Superintendent, Business and Support Services
26. **RESOLUTION NO. 1314-11 AUTHORIZING THE LEVY OF SPECIAL TAXES IN COMMUNITY FACILITIES DISTRICT NO. 98-2:** Page 347
EXHIBIT 26
Approval of Resolution No. 1314-11 authorizing the levy of Special Taxes in Community Facilities District (CFD) No. 98-2 (Ladera) for fiscal year 2013-2014. In order to secure the tax roll for CFD No. 98-2 in fiscal year 2013-2014, the District must notify the County of Orange Auditor-Controller no later than August 20, 2013, or other duly authorized date, with a certified copy of Resolution No. 1314-11, along with a copy of the annual levy of Special Taxes for fiscal year 2013-2014. David Taussig & Associates will deliver the required documents on the District’s behalf to the County of Orange.
CUSD Strategic Plan Pillar 5: Effective Operations
Contact: Clark Hampton, Deputy Superintendent, Business and Support Services
27. **RESOLUTION NO. 1314-12 AUTHORIZING THE LEVY OF SPECIAL TAXES IN COMMUNITY FACILITIES DISTRICT NO. 2004-1:** Page 353
EXHIBIT 27
Approval of Resolution No. 1314-12 authorizing the levy of Special Taxes in Community Facilities District (CFD) No. 2004-1 (Rancho Madrina) for fiscal year 2013-2014. In order to secure the tax roll for CFD No. 2004-1 in fiscal year 2013-2014, the District must notify the County of Orange Auditor-Controller no later than August 20, 2013, or other duly authorized date, with a certified copy of Resolution No. 1314-12, along with a copy of the annual levy of Special Taxes for fiscal year 2013-2014. David Taussig & Associates will deliver the required documents on the District’s behalf to the County of Orange.
CUSD Strategic Plan Pillar 5: Effective Operations
Contact: Clark Hampton, Deputy Superintendent, Business and Support Services
28. **RESOLUTION NO. 1314-13 AUTHORIZING LEVY OF SPECIAL TAXES IN COMMUNITY FACILITIES DISTRICT NO. 2005-1:** Page 359
EXHIBIT 28
Approval of Resolution No. 1314-13 authorizing the levy of Special Taxes in Community Facilities District (CFD) No. 2005-1 (Whispering Hills) for fiscal year 2013-2014. In order to secure the tax roll for CFD No. 2005-1 in fiscal year 2013-2014, the District must notify the County of Orange Auditor-Controller no later than August 20, 2013, or other duly authorized date, with a certified copy of Resolution No. 1314-13, along with a copy of the annual levy of Special Taxes for fiscal year 2013-2014. David Taussig & Associates will deliver the required documents on the District’s behalf to the County of Orange.
CUSD Strategic Plan Pillar 5: Effective Operations
Contact: Clark Hampton, Deputy Superintendent, Business and Support Services

29. **LIMITED USE LICENSE AGREEMENT WITH RANCHO SANTA MARGARITA LANDSCAPE AND RECREATION CORPORATION FOR THE USE OF ARROYO VISTA PARK:** Page 365
EXHIBIT 29

Approval of the renewal of the Limited Use License Agreement with Rancho Santa Margarita Landscape and Recreation Corporation (SAMLARC) for student use of Arroyo Vista Park. Arroyo Vista School is located adjacent to Arroyo Vista Park in the City of Rancho Santa Margarita. The park is maintained by SAMLARC, a non-profit homeowners association. Since the school opened in 1992, students from Arroyo Vista School have been using the adjacent park for various activities, operating under a limited use license agreement. The additional space provides the students with greater recreational and physical education opportunities. The Limited Use License Agreement was developed to provide general provisions defining each agency's responsibilities. Terms of the agreement include a defined amount of student use of the park for the current school year for a fee of \$5,000, paid out of the general fund. SAMLARC will be responsible for all ongoing maintenance of the park. The original Limited Use License Agreement was reviewed and approved by District and SAMLARC legal counsels.

CUSD Strategic Plan Pillar 5: Effective Operations

Contact: Clark Hampton, Deputy Superintendent, Business and Support Services

30. **LIMITED USE LICENSE AGREEMENT WITH RANCHO SANTA MARGARITA LANDSCAPE AND RECREATION CORPORATION FOR USE OF TIJERAS CREEK PARK:** Page 385
EXHIBIT 30

Approval of the renewal of the Limited Use License Agreement with Rancho Santa Margarita Landscape and Recreation Corporation (SAMLARC) for student use of Tijeras Creek Park. Tijeras Creek Elementary School is located adjacent to Tijeras Creek Park in the City of Rancho Santa Margarita. The park is maintained by SAMLARC, a non-profit homeowners association. Since the school opened in 2000, students from Tijeras Creek Elementary School have been using the adjacent park for various activities, operating under a limited use license agreement. The additional space benefits the students with greater recreational and physical education opportunities. The Limited Use License Agreement was developed to provide general provisions defining each agency's responsibilities. Terms of the agreement include a defined amount of student use of the park for the upcoming school year for a fee of \$8,900, paid out of the general fund. SAMLARC will be responsible for all ongoing maintenance of the park. The original Limited Use License Agreement was reviewed and approved by District and SAMLARC legal counsels.

CUSD Strategic Plan Pillar 5: Effective Operations

Contact: Clark Hampton, Deputy Superintendent, Business and Support Services

31. **RATIFICATION OF CHANGE ORDER NO. 20 – BID NO. 1011-11, CAPISTRANO VALLEY HIGH SCHOOL PERFORMING ARTS CENTER:** Page 405
EXHIBIT 31

Ratification of Change Order No. 20 related to the construction of the Capistrano Valley High School Performing Arts Center. In a previous action, the Board of Trustees delegated to the Superintendent the authority to approve work orders changing the cost of construction contracts, provided the cost does not exceed \$25,000 per individual work order. This change order aggregates various work orders that may consist of additions, deletions, or other revisions that are now being presented to the Board of Trustees for ratification. All such changes in the work are performed under applicable conditions of the change in contract documents. The approved work orders and the resulting change order are shown in the exhibit. The original contract sum was \$11,975,007. The new contract sum including Change Order No. 20 is \$13,008,904.

CUSD Strategic Plan Pillar 5: Effective Operations

Contact: Clark Hampton, Deputy Superintendent, Business and Support Services

32. **RATIFICATION OF THE AVID IMPLEMENTATION AGREEMENT – AVID CENTER:** Page 503
EXHIBIT 32
 Ratification of the AVID (Advancement Via Individual Determination) Implementation Agreement with the AVID Center to provide membership, materials, and training for 12 schools listed in the exhibit. The AVID Center provides support to prepare students for college readiness and success in a global society. The contractor will provide services at the rates indicated in the agreement. The term of this agreement is July 1, 2013, through June 30, 2014. Expenditures under this contract are limited to \$41,140, paid by Title II and School and Library Improvement Block Grant funds.
CUSD Strategic Plan Pillar 3: Academic Achievement
Contact: Clark Hampton, Deputy Superintendent, Business and Support Services
33. **MASTER SERVICES AND LICENSE AGREEMENT – ACCELERATE EDUCATION:** Page 533
EXHIBIT 33
 Approval of the Master Services and License Agreement with Accelerate Education to provide online curriculum for fifth grade students in math, language arts, science, and social studies for Capistrano Virtual School. The contractor will provide services at the rates indicated in the agreement. The term of this agreement is August 15, 2013, through August 14, 2016. Annual expenditures under this contract are limited to \$8,100, paid by Instructional Materials Funding Realignment Program funds.
CUSD Strategic Plan Pillar 3: Academic Achievement
Contact: Clark Hampton, Deputy Superintendent, Business and Support Services
34. **PROFESSIONAL SERVICES CONTRACT FOR CURRICULUM AND SERVICES – NATIONAL NETWORK OF DIGITAL SCHOOLS MANAGEMENT FOUNDATION:** Page 541
EXHIBIT 34
 Ratification of a Professional Services Contract for Curriculum and Services with National Network of Digital Schools Management Foundation. This agreement provides software, curriculum, consulting, and training services relating to cyber education for the Capistrano Virtual School. The contractor will provide services at the rates indicated in the agreement. The term of this agreement is July 1, 2013, through June 30, 2014. Expenditures under this contract are limited to \$43,000, paid by Instructional Materials Funding Realignment Program funds.
CUSD Strategic Plan Pillar 3: Academic Achievement
Contact: Clark Hampton, Deputy Superintendent, Business and Support Services
35. **STUDENTTRACKER FOR HIGH SCHOOLS AGREEMENT – NATIONAL STUDENT CLEARINGHOUSE:** Page 555
EXHIBIT 35
 Approval of a StudentTracker for High Schools Agreement with National Student Clearinghouse to provide a nationwide, central repository of information on student enrollment, degrees, diplomas, certificates, and other educational achievements for the District. The term of this agreement is August 15, 2013, through August 14, 2014. The contractor will provide services at the rates indicated in the agreement and expenditures under this contract are limited to \$2,550, paid by the general fund.
CUSD Strategic Plan Pillar 3: Academic Achievement
Contact: Clark Hampton, Deputy Superintendent, Business and Support Services
36. **INCOME AGREEMENT – ORANGE COUNTY SUPERINTENDENT OF SCHOOLS:** Page 563
EXHIBIT 36
 The contractor will provide services at the rates indicated in the agreement. The term of this agreement is July 1, 2013, through June 30, 2014. Annual expenditures under this contract are limited to \$4,500, paid by special education funds.
CUSD Strategic Plan Pillar 3: Academic Achievement
Contact: Clark Hampton, Deputy Superintendent, Business and Support Services

37. LEASE/RENTAL AGREEMENT – ORANGE COUNTY FIRE AUTHORITY:

Page 569

EXHIBIT 37

Ratification of a lease/rental agreement with the Orange County Fire Authority. This agreement provides the use of a District bus on a temporary basis for the transportation of fire explorers during intensive training in July. The income generated from this agreement is \$1,200 and will be deposited into the Transportation Department vehicle replacement account.

CUSD Strategic Plan Pillar 5: Effective Operations

Contact: Clark Hampton, Deputy Superintendent, Business and Support Services

38. AWARD REQUEST FOR QUALIFICATIONS NO. 3-1314, MASS NOTIFICATION SYSTEM, SCHOOLMESSENGER, RELIANCE COMMUNICATIONS, LLC:

Approval of the award of Request for Qualifications No. 3-1314, Mass Notification System to SchoolMessenger by Reliance Communications, LLC. On June 26, 2013, the Board of Trustees approved Resolution No. 1213-50, Approval of Mass Notification System Request for Proposals Process and authorized staff to solicit proposals for a mass notification system. Thirteen companies registered and downloaded documents from the District website, and two proposals were received. The proposals were evaluated by staff based on the selection criteria and adherence to submittal requirements. SchoolMessenger by Reliance Communications, LLC was selected for the District's mass notification system based on the evaluation of the system's emergency notification functionality, including security and reliability, District and school messaging functionality, implementation and support plan, company references, and price.

SchoolMessenger's proposal clearly demonstrated experience, knowledge, and a proven track record to deliver millions of important messages via phone, text, and e-mail to our community. With their robust infrastructure, innovative use of technologies and social media, as well as the simple interface for message creation, SchoolMessenger will support the District in its ability to generate more than one million messages annually with great reliability and efficiency. The proposal submitted by SchoolMessenger at \$67,500 includes a 100 percent vendor hosted system, unlimited access and support, professional services and all setup, and onsite training for a cost savings of \$7,500. SchoolMessenger's proposal contained two new applications: Talk About It and Mobile Apps. The purchase of these two applications is under consideration by the District for an additional cost of .50 per student. The cost for the complete system and the two new applications is \$92,500. This procurement is funded by the School and Library Improvement Block Grant. Once negotiations are completed, the contract will be submitted for Board approval. The proposals, evaluation criteria, and consultant rating sheets are available in the Purchasing Department for review. For more information, please contact Terry Fluent, Director, Purchasing, at (949) 234-9436.

CUSD Strategic Plan Pillar 1: Community Relations

CUSD Strategic Plan Pillar 4: Safe & Healthy Schools

CUSD Strategic Plan Pillar 5: Effective Operations

Contact: Clark Hampton, Deputy Superintendent, Business and Support Services

39. SUBMISSION OF LABOR COMPLIANCE PROGRAM ANNUAL REPORT:

Page 571

EXHIBIT 39

Approval of the submission of the Labor Compliance Program Annual Report for the period of July 1, 2012, through June 30, 2013, to the Department of Industrial Relations (DIR) in accordance with Assembly Bill 1506. To comply with state statutes, the District must submit an annual report to the DIR and share this report with the Board of Trustees. All back wages related to the violations have been paid to the workers, and the assessment of penalties in the amount of \$6,190 has become final.

CUSD Strategic Plan Pillar 5: Effective Operations

Contact: Clark Hampton, Deputy Superintendent, Business and Support Services

40. DECLARATION OF SURPLUS ITEMS:

Page 575
EXHIBIT 40

Approval of the declaration of surplus items listed and described as surplus, and the approval of the public and private disposition of the surplus items in accordance with Education Code §§17545-17546 and Board Policy 3270. District schools and programs have accumulated various pieces of equipment, vehicles, materials, and other items that are beyond economical repair, obsolete, no longer required within the current curriculum, or necessary for any other school purpose. These items will be disposed of by public sale, or if no reasonable bids are received, by private sale for salvage. All items are subject to reallocation within the District prior to sale or disposal. Revenues from the sale are unknown. Sale proceeds may be deposited into the original fund from which the purchase was made.

CUSD Strategic Plan Pillar 5: Effective Operations

Contact: Clark Hampton, Deputy Superintendent, Business and Support Services

41. EXTENSION OF SCHOOL BUS SERVICE AGREEMENT – JSERRA CATHOLIC HIGH SCHOOL:

Page 577
EXHIBIT 41

Approval of the Extension of School Bus Service Agreement No. C1011065 with JSERRA Catholic High School. Through this agreement, the District provides inspections, maintenance, repair, school bus driver training, and bus rental services. The District will offer services at the rates indicated in the agreement. The income received from this agreement provides a positive revenue stream into the District's general fund to offset a portion of the Transportation Department's encroachment.

CUSD Strategic Plan Pillar 5: Effective Operations

Contact: Clark Hampton, Deputy Superintendent, Business and Support Services

42. ADVERTISE REQUEST FOR PROPOSAL NO. 5-1314, DEVELOPER FEE CONSULTANT SERVICES:

Page 593
EXHIBIT 42

Approval to advertise for Request for Proposal (RFP) No. 5-1314 for consultant services related to school developer fees. The District requires services related to developer fee justification studies, school facilities needs analysis, and annual and five-year reports. This RFP will provide a competitive process to solicit the most qualified firms to assist the District. The total annual expenditures under this contract are estimated to be \$12,000, funded from the general fund.

CUSD Strategic Plan Pillar 5: Effective Operations

Contact: Clark Hampton, Deputy Superintendent, Business and Support Services

PERSONNEL SERVICES

43. RESIGNATIONS/RETIREMENTS/EMPLOYMENT – CLASSIFIED EMPLOYEES:

Page 629
EXHIBIT 43

Approval of the activity list for employment, separation, and additional assignments of classified employees. These positions will be charged to the appropriate fund and are included in the adopted budget.

CUSD Strategic Plan Pillar 5: Effective Operations

Contact: Jodee Brentlinger, Assistant Superintendent, Personnel Services

44. RESIGNATIONS/RETIREMENTS/EMPLOYMENT – CERTIFICATED EMPLOYEES:

Page 637
EXHIBIT 44

Approval of the activity list for employment, separation, and additional assignments of certificated employees. These positions will be charged to the appropriate fund and are included in the adopted budget.

CUSD Strategic Plan Pillar 5: Effective Operations

Contact: Jodee Brentlinger, Assistant Superintendent, Personnel Services

Motion by _____

Seconded by _____

ROLL CALL:

Trustee Addonizio _____

Trustee Hatton _____

Trustee Bryson _____

Trustee Pritchard _____

Trustee Hanacek _____

Trustee Reardon _____

Trustee Alpay _____

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 WEDNESDAY,
AUGUST 28, 2013, 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.